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United States Department of Agriculture,

FEDERAL HORTICULTURAL BOARD.

C. L. MARLATT, *Chairman;* W. A. ORTON, GEO. B. SUDWORTH, W. D. HUNTER, KARL F. KELLERMAN. R. C. ALTHOUSE, *Assistant to the Chairman.*

SERVICE AND REGULATORY ANNOUNCEMENTS.

MAY, JUNE, JULY, 1920.

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THE PINK BOLLWORM.

The important development in the pink bollworm situation since the publication of the last number of these announcements is the pink bollworm legislation enacted by the States of Texas and Louisiana as a result of the conference and agreements arrived at at the hearing conducted in Washington on April 6 and 7, and fully reported in the number of these announcements issued for the months of January, February, March, and April, 1920. Inasmuch as these two acts call for the participation of the Federal Horticultural Board of this department, they are both reproduced in this number of the announcements.

TEXAS LEGISLATION.

The Texas act, approved June 19, 1920, was the work of the Thirty-Sixth Legislature of Texas (third-called session), which convened at Austin, Tex., May 20, 1920, and is a substitute for the bill which was considered practically for the full period of the session of the legislature, from May 20 to June 16, and therefore, with respect to this substituted bill under the 30-day limitation of this session of the legislature, opportunity was not available to discuss and fully amend and perfect the bill.

The law as enacted omits a number of important powers which were included in the law of 1919, but, on the other hand, is an improvement on that law in some respects, and is perhaps the best legislation obtainable in Texas under the conditions which had then developed. It is hoped that this act can be amended and strengthened at the next regular session of the Texas Legislature. The main defects of the law from the department's viewpoint are (1) that it does not immediately enforce for 1920 noncotton zones for the infested districts; (2) that it fails to give authority to establish regulated and noncotton zones in counties bordering on Mexico on the determination of near-by infestation in Mexico, and independent of any actual infestation in the counties concerned, as was provided for in the law of 1919; (3) that it limits the destruction of cotton to infested fields, and, therefore, prevents any regional destruction of cotton which might be necessary for effective work of extermination; and (4) that the establishment of noncotton zones provided for after 1920 is weakened by making it necessary to reestablish such zones yearly, and there is also a question as to whether such zones can be established on such regional basis as may be necessary for effective extermination work. The law, on the other hand, provides for a continuation of all regulated zones for 1920 and also provides for regional cleanup of cotton fields after harvest in such zones. It further provides an appropriation of $100,000 to carry out the act, $50,000 of which shall be for compensation to farmers for cotton destroyed or other losses occasioned by the enforcement of the act, and $50,000 for the administration of the act. A very important feature of the law of 1920 is that it declares the pink bollworm to be a public nuisance and a menace to the cotton industry, and that its eradication is a public necessity. This action gives the law a stronger position, should its validity be attacked in the courts.

At the invitation of Gov. Hobby, of Texas, the Secretary of Agriculture had promised to be present at the opening of the special session of the legislature which the governor proposed to call to secure enactment of a suitable pink-bollworm law and to address the legislature on the subject of such legislation. The Secretary was prevented by illness from fulfilling his promise in person, and the substance of his address was submitted to the governor and the legislature in the form of a letter reproduced on pages 54–60 of these announcements.

At the further invitation of the governor and of the special committee appointed by the legislature to consider pink-bollworm legislation, Messrs. Mar-

latt (chairman), and Hunter, Sudworth, and Kellerman, of the Federal Horticultural Board, went to Austin and were present during the first two weeks of the session of the legislature, the chairman of the board presenting the Secretary's letter to the governor and the legislature, and the chairman and other members of the board attending the meetings of the joint committee of the two houses of the legislature for the purpose of testifying as to the pink-bollworm situation and as to the legislative needs.

As a result of the action of the committee and legislature, the chairman of the board, representing the United States Department of Agriculture, found it necessary to issue a number of official statements with respect to the Wolters-Cureton pink-bollworm bill which occupied most of the time of the legislature, and which was objected to by this department as not furnishing an adequate vehicle for effective work in Texas in the control of the pink bollworm. This bill had been drawn to represent the point of view of the farmers of the invaded district, and was so worded as to place every possible legal safeguard over action which would affect the cotton crop of the planters concerned, both as to field inspections and control operations. The effect of these safeguards would, if the bill had been enacted, have made inspection and effective control work looking to extermination an absolute impossibility. This situation was particularly pointed out in the letter submitted to the governor and the legislature in respect to this bill, reproduced on page 63. In spite of the presentation by the board of these objections, the bill was passed by both houses of the legislature and went to a joint conference committee, but was disagreed to at the last moment as a result of explanations made by the Secretary of Agriculture as to the effect of this legislation on further cooperation by this department in the pink-bollworm control work in Texas and the quarantine steps which it would force the Federal Government as well as other States to take. The bill substituted was the one which had been urged by the department as a basis of legislation from the beginning. The important features of this later correspondence are reproduced as a matter of record, inasmuch as the legislative act of Texas which resulted will have a very important bearing on the possibility of the ultimate extermination of the pink-bollworm pest in the United States.

LOUISIANA LEGISLATION.

The General Assembly of the Legislature of Louisiana carried out in full the agreement which had been reached in Washington as to legislation giving authority and making provision for adequate funds for pink bollworm control in that State. Prior to this legislation the three infested parishes of Cameron, Calcasieu, and Jefferson Davis had been maintained as noncotton zones so that efficient control had been enforced from the time of the discovery of the pink bollworm pest in that State. The Louisiana act creates a commission for the purpose of enforcing the order of the commissioner of agriculture of that State establishing noncotton and regulated zones, and appropriates $250,000 for that purpose and for reimbursement of planters. It gives, in broad terms, ample authority to carry out any necessary control work looking to the ultimate extermination of this pest. A supplemental act provides for the collection of a license tax on the cotton industry of the State to provide revenue for the suppression of the pink bollworm.

The Federal Horticultural Board of the department is now organizing cooperative control work in both Texas and Louisiana under the authority given in this new legislation.

FEDERAL QUARANTINE ACTION.

The basis for a Federal quarantine of Texas and Louisiana on account of the pink bollworm had already been established by the public hearings of April 6 and 7. In view of the changed situation in Texas resulting from the nature of the legislation enacted by that State, and of the further fact that the Federal quarantine would probably determine the quarantine action taken by cotton-growing States other than Louisiana and Texas with respect to these two States, it seemed desirable that prior to the issuance of the Federal quarantine a conference should be held of all the cotton-growing States. The object of this conference was to consider the subject of the Federal quarantine in its relation to State action and to discuss and determine the quarantine needs, both Federal and State, with respect to the pink bollworm. Such conference was held at Washington July 14, 1920, and was attended by the representatives of eight States. A preliminary draft of the Federal action was presented to this conference and given careful consideration by it. This conference proved to be very useful and led to a general agreement to harmonize the State action with the Federal action proposed by the Department of Agriculture.

The Federal quarantine promulgated by this department July 21, effective August 1, 1920, is reproduced in this number of these announcements, together with the news statement issued by the department in relation thereto.

APPROPRIATIONS FOR PINK BOLLWORM WORK.

In view of the increased seriousness of the problem resulting from the appearance of the pink bollworm in certain parishes of Louisiana, Congress, as was noted in the last number of these announcements, had been asked for an increased appropriation for pink bollworm control and eradication of $300,000. This increase was carried in the bill as it passed the Senate, but in the conference committee the increase was reduced to $200,000. This gives a fund for the control and eradication of the pink bollworm for the fiscal year 1921 of $325,000. This is exclusive of the border control appropriation of $148,560, a fund of $10,000 for surveys in Mexico near the border of the United States, and an item of $5,000 for investigation of the pink bollworm as a basis for control measures. The total appropriation for pink bollworm work is therefore $488,560. In addition there is available for pink bollworm work the appropriation by the Texas Legislature of $100,000 and by the Louisiana Legislature of $250,000.

LETTER ADDRESSED BY THE SECRETARY OF AGRICULTURE TO GOVERNOR HOBBY, OF TEXAS, ON THE SUBJECT OF PROPOSED PINK BOLLWORM LEGISLATION.

The following letter from Secretary Meredith to Gov. W. P. Hobby, of Texas, discussing the pink-bollworm situation, was read before the Texas Legislature May 27 by the Secretary's representative, Mr. C. L. Marlatt, chairman of the Federal Horticultural Board, United States Department of Agriculture:

MAY 20, 1920.

MY DEAR GOVERNOR: It is with the keenest regret that I am compelled to advise you that I will not be able to fulfill my promise to address the special session of the Legislature of Texas on May 27 on the subject of the pink bollworm. It has been necessary for me to submit to a minor surgical operation, and, although I have substantially recovered, my physician advises me that the long trip which a visit to Texas entails is not to be considered.

I need not assure you that I have been looking forward to this trip, because I have been anxious to emphasize directly to the people of Texas my keen

interest in the full execution of the program that has already been agreed upon between this department and yourself, and other Representatives from Texas, as well as Representatives from the State of Louisiana, looking to the extermination of the pink bollworm in these States. The need of control work to safeguard the future cotton interests of Texas and of the Nation can not be overestimated, and I sincerely hope that my inability to give expression in person to the vital necessity of carrying out this program will not in any wise affect its prompt development and effective execution. In lieu of the presentation of the matter in person, which I had confidently expected to have the pleasure and privilege of making, I am submitting in this letter a statement which I hope will be of equal use in the support of the movement.

REVIEW OF PINK-BOLLWORM WORK.

I may take it for granted that the authorities of Texas and the members of the legislature are familiar with the history of the entrance of the pink bollworm into Mexico, of its invasion of limited areas in Texas, and of the activities of the Federal Government, through the United States Department of Agriculture in cooperation with the authorities of your State, to control and exterminate this new pest. A review of this work, together with a description of the present status of the pink bollworm in Texas and the spread of the insect into Louisiana, was given in a statement which I issued to the press on April 6 in connection with the hearings conducted by the Department of Agriculture in Washington preliminary to a possible Federal quarantine. In this statement it was pointed out that during the four years that the pink-bollworm problem has been before the State of Texas, there has been no halting on the part of the Federal Government, either in its appropriations or its activities, to free Texas and to safeguard the United States from this new menace to the cotton crop. It was indicated that these appropriations have already totaled $1,400,000 and that an additional item of nearly $600,000 was then under consideration in connection with the bill making appropriations for the fiscal year beginning July 1 next. It was also stated that the work gave great promise of ultimate success in exterminating the pest and of freeing the cotton crop of this country from the enormous losses which its establishment and general distribution would entail. The energetic action of the State of Louisiana was described and it was stated that the one important drawback to success at the time was the delay of Texas in the establishment of noncotton zones for the infested areas in that State, a delay which has already resulted in the planting of a considerable portion of these areas to cotton.

The strongest emphasis was placed on the fact that the extermination of the insect in Texas and Louisiana is absolutely contingent on the prohibition of the growth of cotton in the infested areas and that the growth of cotton under restrictions in the case of areas actually infested, or the adoption of other methods of control, would simply mean the perhaps slower, but no less certain, ultimate spread of the pest. It was emphasized also that extermination is possible only under present conditions—in other words, when the infestation is just beginning and when the insect is scanty in numbers and limited in distribution—and that any postponement or limitation of the effort at this time would mean practically the loss altogether of the opportunity of extermination and an acceptance of the ultimate spread of the pest throughout the South. Furthermore, it was strongly indicated that success in the eradication effort necessarily requires the complete cooperation of the States involved, and that, if the effort should fail through any halting in the work or any limitation on the methods which alone can bring success, the responsibility therefor will rest upon the persons or communities concerned.

The department was advised, and it was so stated, that the interests in Texas related to cotton production and utilization are, for the most part, strongly in favor of the program of extermination and of provision by the State for such compensation as may be just to the planters in the districts which will be directly affected by the prohibition of the growth of cotton. It was also advised that the normal production of cotton in these districts represents only about 1 per cent of the total production of the State, and that, on account of unfavorable climatic conditions, a profitable crop is secured only once in two or three years.

STATE REIMBURSEMENT TO FARMERS.

This department recognized that opposition to the proposed prohibition on the part of those affected was natural, and, furthermore, that it had been intensified, and in part justified, by the fact that, whereas the Texas law provides for compensation for crops destroyed in the control operations, the State has made no definite appropriation for that purpose and no reimbursement has been made for such losses. In view of this situation, I strongly urged prompt action by the State to make provision for the reimbursement of those farmers whose sacrifices, as already indicated, are for the general welfare of the State and of the whole cotton industry.

As a result of the hearing conducted in Washington on April 6 and 7 by the Federal Horticultural Board of this department, a program of Federal and State quarantine and restrictive action was drawn up and agreed to, as already indicated, by this department and by yourself and other representatives of Texas, as well as by representatives of Louisiana. This program provides for the establishment and enforcement by the States concerned of both noncotton and regulated zones, and involves such amendments to existing State legislation as may be necessary to carry out the program, including the making of specific appropriations of State moneys for the reimbursement of planters in the noncotton zones for the losses which they may sustain as a result of the prohibition of the growth of cotton. The convening of the legislature into extraordinary session at this time is, I understand, for the purpose of taking such action.

Under this general plan, and conditioned upon the necessary action being taken by the States concerned, it was deemed sufficient to limit the effect of the Federal quarantine to the noncotton and regulated zones jointly determined upon for these two States. The Federal quarantine in such case would be merely supplemental to the State quarantines and for the purpose of giving Federal authority and aid to the enforcement of the latter, more particularly with respect to interstate movement of the products concerned. The execution of this plan would mean that no Federal restrictions whatever need be placed on the interstate movement of cotton and cotton products out of Texas and Louisiana other than as to the limited quarantined districts. The representatives of other southern States which had already issued quarantines against Texas and Louisiana, or were considering the issuance of such quarantines, also agreed to reconsider the matter or to limit their quarantine action so that it would correspond with the Federal and State action described, thus relieving Texas from restrictions on the movement of and commerce in its principal crop on the part of surrounding States which were being placed independently of Federal action and over which the Federal authorities had no control.

The full enforcement by the State and Federal authorities of all features of the program, it was believed, would result in the extermination of the pink bollworm in the United States and make it possible to relieve the quarantined districts in Texas and Louisiana of restrictions for the most part, if not altogether, within two or three years.

It does not seem possible that any fair-minded person, in view of what is now known with respect to this new pest of cotton, will consider that the program outlined is not well worth carrying out at whatever sacrifice and cost. The Federal Department of Agriculture and the States of Texas and Louisiana would, it seems to me, certainly be considered negligent of their plain duties in this matter if they omitted at this critical stage any steps which are recognized as essential to the success of the effort to exterminate the pest. The fight should now be earnestly waged without the abatement of any factor believed necessary to insure ultimate victory. Success can not be guaranteed. The pink bollworm may win out, but the conditions are now such that there is very strong reason to expect that the outcome will be successful if the program outlined is fully and energetically supported by all interests concerned, including the planters of the districts where the growth of cotton must necessarily be prohibited or regulated.

OPPOSITION DANGEROUS TO STATE AND NATION.

I regret to learn that, in spite of these representations and of the detailed plan agreed upon as a result of the hearing in Washington, there is still an active effort in some sections of the State to prevent the action suggested on the part of Texas. Some of this opposition has for its justification the failure of the State to provide for the reimbursement of losses caused to planters by the de-

struction of a portion of the crop of 1919—reimbursements which, I am advised, were specifically authorized in the pink bollworm act of that year. Those concerned in this opposition, however, have undertaken a propaganda to minimize or deny the menace of the pink bollworm to Texas and to the whole South, declaring sometimes that the insect does not occur or is not a pest in the district, or that, if it does occur, it is and will be a negligible factor in the cotton production of the country. In some instances, this campaign has gone to the extent of declaring that the insect has been exploited only by interested experts of this department and of the State to serve selfish personal ends and that its alleged importance has no substantial basis in fact.

The contention that the pink bollworm is an old and well-known enemy of cotton, so far as it is based on an honest belief on the part of planters, is due to the confusion of this insect with the old-time bollworm of cotton, known also as the corn earworm, and perhaps with a number of other native worms which occasionally bore into the bolls of cotton. That the pink bollworm is an entirely different insect and actually exists in the district in question is based on adequate and conclusive determination by the experts of this department and of the Division of Insects of the National Museum at Washington.

The argument that because the pink bollworm has so far caused no material loss to the cotton crop of Texas it must, therefore, be a negligible pest, overlooks entirely the fact that this lack of damage is due, first, to the recent introduction of the pest and, second, to the intensive control work, begun promptly after its discovery, on the part of the Federal Government in cooperation with the State authorities of Texas—control which has involved the expenditure, as already noted, of nearly a million and a half dollars. Extermination is now possible only because of the limited foothold that the pest has gained on account of its recent introduction and the substantial control which this large expenditure has brought about. If this control is now stopped or materially lessened, the insect will surely and quickly become more widespread and ultimately will cause in this country damage as great as, or perhaps greater than, it is now causing in the other important cotton-producing countries of the world.

Those who advance this argument refuse to accept any evidence based on experience with the insect in other countries as to the menace of the pest and it, therefore, seems impossible to convince them of the truth in the matter. The opposition apparently is centered in the main district in which it becomes necessary, under the program agreed upon, to prohibit the growth of cotton. In relation to the great cotton production of the State of Texas, it is significant, as already noted, that this district produces approximately only 1 per cent of the cotton crop of the State. I can not believe that the people of this district will be willing, when they thoroughly understand the situation, to assume responsibility for jeopardizing the cotton interests of Texas, to say nothing of the cotton interests of a dozen other States and the related interests and industries which are nation wide.

IS THE PINK BOLLWORM A REAL MENACE TO COTTON?

In answer to the question, "Is the pink bollworm a real menace to the cotton crop of this country?" it may be pointed out that there is no disagreement on the part of cotton experts and others connected with cotton culture the world over as to the importance and seriousness of this new enemy of cotton—an enemy which has spread during the last 10 or 15 years to practically every cotton-producing country in the world. The menace of this pest to us, therefore, is clearly indicated by the official records of other countries. To more fully illustrate this point, I am quoting a review of these records recently issued by the Department of Agriculture through its news service:

DAMAGE BY PINK BOLLWORM IN OTHER COUNTRIES.

"The most accurate estimate of losses occasioned by the pink bollworm are those issued in official reports from Egypt and Brazil. A comprehensive report of such losses was issued by the Egyptian Department of Agriculture in 1917. This report, based on the examination of over 100,000 bolls, indicates a percentage of infestation of green bolls of 10 per cent in July, 75 per cent in September, and a maximum of 89 per cent in October. It indicates further that from 25 to 50 per cent of the bolls in August and September, which would have

produced a considerable element of the crop, were attacked and either destroyed or rendered practically valueless. These figures also illustrate the rapid increase of the insect as the season advances in a region where it has had time to become fully established.

EGYPTIAN LOSSES REACH 20 PER CENT.

"The latest data on losses in Egypt are those given in the Bulletin of Entomological Research for July, 1919, published by the Imperial Bureau of Entomology of Great Britain. It is exhaustive and fully confirms the earlier estimate of losses, placing it at from 11 to 16 per cent of the first picking, from 17 to 20 per cent of the second picking. The method of control adopted eliminates the third picking. This method of control adopted by the Egyptian Department of Agriculture is a very strenuous program and one much too expensive for general adoption in this country with its greater labor costs. In spite of such control, involving the destruction of all of the standing crop fairly early in the autumn and the disinfection and supervision of all seed for planting, the Government estimates indicate that there is still a loss due to this insect of approximately 20 per cent of the crop.

"The minister of agriculture of Brazil has published a summary of results based on a careful estimate of damage to the cotton crop caused by the pink bollworm in the principal cotton-producing States of that Republic. The money value of these losses, which run from 30 per cent to 66⅔ per cent of the crop, is indicated in the following table:

Brazilian State.	American currency.
Maranhac	$750,000
Piauhy	500,000
Ceara	10,000,000
Rio Grande de Norte	2,500,000
Parahyba	5,925,000
Pernambuco	5,750,000
Alagoas	1,575,000

"A bulletin recently issued by the National Society of Agriculture of Brazil contains a note to the effect that the losses from the pink bollworm, presumably to the crop of 1918, amounted to 80 per cent of the crop in the States of Rio Grande de Norte and Parahyba.

30 PER CENT LOSS IN LAGUNA.

"The injury caused by the pink bollworm in the Laguna, the principal cotton-producing area in Mexico, was investigated in 1917 by a joint commission of Mexican and American experts. The estimated loss for that year was not less than 30 per cent of the crop, involving substantially a total loss of the second crop which, in that district, is a very important element of the total annual yield. Individual fields indicated losses of upward of 50 per cent of the crop. The character and percentage of losses in this district have also been studied by experts of this department in connection with the crops of 1918 and 1919. These studies have indicated similar losses for these two years, involving, as before, all of the second or top crop. As indicating the amount of infestation toward the end of the season of 1919, 100 mature and unopened bolls were picked at random in an average field, and an examination showed that every boll was infested and some 900 pink bollworm larvae were taken from them.

"The rate of increase of this insect in the Laguna during the season of 1919 was carefully studied. Cotton bolls were collected at random each month from July to November on some seven ranches. The average number of pink bollworms found per 100 bolls was approximately 16 in August. Prior to that time the attacks of the insects had been largely confined to the bloom and squares. In September an average of 156 worms were found to 100 bolls, nearly 700 in October, and 724 in November. In other words, there was an average of more than 1½ worms to the boll in September at the height of the picking season, and some 7 or more to the boll in October and November.

"In the Hawaiian Islands a very promising cotton industry has been practically annihilated by this insect.

"Accurate figures as to losses in China have not been received, but that the insect is on the increase there has been indicated by recent studies of the cotton crop of China by agricultural explorers of this department.

UNITED STATES WOULD FARE NO BETTER.

"There is no reason to anticipate that the United States would be any better off than any of these other countries should this insect become widespread and fully established here. On the other hand, cotton growers in this country would have the additional disadvantage of the cotton-boll weevil which does not occur in any of the competing cotton-producing countries of the world other than Mexico.

"The possibility of damage from this insect in this country is further indicated by the similarity of climate obtaining in the Laguna and in the central and northern ranges of cotton culture in China to that of our Southern States. This possibility is emphasized also by the actual abundance which this pest had reached in the worst infested fields in southeastern Texas in 1917, and in the worst infested fields in Cameron Parish in 1919—an abundance which had by no means reached its maximum but was yet sufficient to have occasioned a considerable percentage of loss to the crop. For example, in the worst attacked fields referred to in 1917 and 1919, approximately 75 per cent of the late and immature bolls were infested."

IS ERADICATION OF THE PINK BOLLWORM POSSIBLE?

I have already indicated the existing favorable conditions for eradication of the pink bollworm and the necessity of taking immediate advantage of these conditions. The control work which has been done during the last three years in Texas, as already pointed out, strongly supports the belief that extermination of the pest is now possible. At Hearne, for instance, where the first infestation was discovered in 1917, a noncotton zone, which has been maintained over two seasons in connection with the cleaning up of the fields, has apparently stamped out the pest. The experience in the Trinity Bay section demonstrates that the thoroughgoing clean-up operations in the winter of 1917–18 and the noncotton zone of 1918 very greatly reduced the infestation, and it is fair to assume from this result and from the experience at Hearne that, if the noncotton zone had been maintained, the pest now would have been substantially exterminated also over this much larger district.

THE LESSON OF THE BOLL WEEVIL.

In this connection, the history of the entry and spread of the boll weevil is instructive and significant. At the time when this insect was first discovered in a very limited area in Texas, the United States Department of Agriculture urged the State to take radical measures to prevent its advance and to exterminate it. In a letter to Gov. Culberson of January 28, 1895, the then Assistant Secretary of Agriculture, the Hon. Charles W. Dabney, jr., called attention to the recent invasion of a new cotton pest, the cotton boll weevil, into a few counties in southeastern Texas, and pointed out that this insect was in these counties causing enormous losses, and unless checked would prove perhaps the most serious drawback to cotton culture which this country had yet encountered. He urged stringent legislation giving the State authorities power to immediately stamp out and eradicate this pest and promised the active cooperation of the Department of Agriculture. He suggested that an act should be immediately passed by the legislature which would permit the establishment of noncotton zones along the Rio Grande River to prevent further entry from Mexico and a provision for a commission with power to investigate, suppress, and eradicate the insect in Texas, including the power to destroy crops in which the insect should be discovered, and to take such other means as might be necessary to effect the extermination of the insect. This letter was followed up by correspondence which continued during the next two years. I understand that this advice was not taken, largely because the authorities failed to be impressed with the seriousness of the menace partly on the assumption that the weevil, coming up from tropical Mexico, would not advance very far or would not survive in the more temperate climate of our Southern States; in other words, employing much the same argument which

is now used in the case of the pink bollworm. The fallacy of this point of view is now indicated by the spread and establishment of the boll weevil throughout most of the cotton area of the United States and the annual losses which it occasions, amounting to many millions of dollars. The pink bollworm is now in the same situation that the boll weevil was in some 25 years ago. The argument that it is not a menace and will never cause great losses in this country has even less foundation than that advanced in connection with the boll weevil at the time of the entry of the latter into southern Texas. The lesson of the boll weevil should not be lost to Texas and this country. Failure to profit by that lesson would surely bring upon the cotton industry of this Nation a calamity which could not be measured.

THE IMMEDIATE NEEDS.

The matter of greatest urgency just now is the declaration of noncotton zones for the infested areas in Texas and the plowing up of fields already planted in such areas. In connection with this action, I sincerely hope that the legislature will, as promptly as possible, make such amendments to the pink bollworm act of 1919 as may be necessary to carry out the full program of extermination, including provision for the reasonable reimbursement by the State of the planters concerned for their losses.

FEDERAL AND STATE QUARANTINE ACTION.

Perhaps I should add, as I said to you when you were here, that if Texas should fail in this emergency to carry out the program of extermination and adopt in lieu thereof some half-way course which would practically amount to giving up the fight and leaving ample opportunity for the spread of the insect in Texas and to other States, the Department of Agriculture, realizing its obligations to the other cotton-growing States and to the Nation as a whole, feels that it would be remiss in its duty if it failed to do everything that is possible, within the limits of its powers and authority, to prevent the spread of the pest from Texas. It should be borne in mind also that the quarantine action that already has been taken by several States and that is under consideration by other States, the modification or abandonment of which I understand is contingent upon the action taken by Texas to carry out the program outlined, will undoubtedly be put in full force by these States with respect to Texas, and this would result, in effect, in a country-wide quarantine of Texas, entirely independent of any Federal action. The quarantine action taken or proposed by these various States was an entirely voluntary matter. It was determined upon by an interstate convention, without consultation with this department, and was based on the responsibility which the officials of these States felt for the protection of their own cotton industry.

In conclusion, I can do no better, perhaps, than to repeat substantially what I stated on the 6th of April with respect to the responsibility of Texas and Louisiana for the future of the pink bollworm situation, namely, that the success of the work of extermination which Congress has so liberally supported is contingent upon the action of these States. Louisiana has undertaken to do what ought to be done under the circumstances. It now remains for Texas to determine whether this cotton pest shall be given the opportunity to overrun the entire State, and ultimately the whole South, or whether the campaign of eradication shall go on efficiently with the promise of success which is now so encouraging. This responsibility can not be shifted. The situation has become much more serious on account of the failure of Texas to act promptly under the authority already granted by the legislature in the act of 1919, but it is not too late to retrieve some or most of the damage which this failure has occasioned.

I have attempted to place this matter before you and before the legislature and the people of Texas in as clear and forceful a manner as possible, with the sole idea of presenting the fully matured judgment of the department regarding the situation. I sincerely trust that the plans which have been agreed upon may be carried out in their entirety and that the Federal and State authorities, in the case of both Texas and Louisiana, may work together in perfect harmony and with the greatest energy and thoroughness in the effort to eliminate now, and we hope forever, the menace of the pink bollworm to the cotton interests of our country.

Yours very truly,

E. T. MEREDITH, *Secretary.*

OFFICIAL STATEMENTS ISSUED IN TEXAS BY THE FEDERAL HORTICULTURAL BOARD REPRESENTING THE UNITED STATES DEPARTMENT OF AGRICULTURE WITH RESPECT TO THE WOLTERS-CURETON PINK BOLLWORM BILL.

JUNE 15, 1920.

On the invitation of the governor of Texas, of the legislature, and also of the special joint committee of the legislature, the Federal Horticultural Board, representing the United States Department of Agriculture, participated in the discussions of this joint committee with respect to pink bollworm legislation deemed necessary to carry out the department's efforts to effect the extermination in Texas and in the United States of this pest.

With respect to this legislation the Federal Horticultural Board issued a series of informing letters and statements which are reproduced below as Exhibit A.

Exhibit A is the original letter of the board, indicating that the bill drafted by Gen. Wolters and the Attorney General, and apparently being favorably considered by the special joint committee, was entirely unsatisfactory to the department, and suggesting the substitution therefor of the Tillotson bill, which was a revision of the pink bollworm law of 1919.

Exhibit B points out some of the major objections of the department to the Wolters-Cureton draft and was submitted in the form of a letter to the chairman of the joint pink bollworm committee of the legislature.

Exhibit C is a letter dated May 29, but actually submitted May 31 by the chairman of the board in identical form to Gov. Hobby, of Texas, to the chairman of the joint pink bollworm committee, and to the presiding officers of the senate and house of the Texas legislature. The occasion for this letter was the evident determination of the legislature not to authorize by legislation a noncotton zone for the current year 1920, and the necessity on the part of the department to point out definitely the conditions under which the Federal aid on account of the pink bollworm in Texas could be continued. This action was taken without yielding in any particular the department's conviction of the necessity for noncotton zones if the extermination of the pink bollworm pest is to be accomplished. Of the three points enumerated in this letter, the first indicates the conditions of inspection which the department holds to be necessary for practical work; the second and third indicate the needs to make worth while the expenditure involved both in inspection and subsequent clean-up operations.

EXHIBIT "A."

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Austin, Tex., May 28, 1920.

Hon. R. L. McDOWRA,
Chairman Joint Committee Pink Bollworm Investigation, Capitol.

SIR: The Federal Horticultural Board has received and read a draft of a bill prepared by a subcommittee of the joint committee appointed to consider pink bollworm legislation. The provisions of this draft do not furnish a satisfactory basis for discussion. It is suggested from the standpoint of this department that the Tillotson bill, recently introduced, furnishes suitable basis for discussion. It is respectfully suggested that this bill be made the subject of the joint discussion contemplated in the appointment of the subcommittee.

Very respectfully,

C. L. MARLATT, *Chairman.*

EXHIBIT "B."

UNITED STATES DEPARTMENT OF ARGICULTURE,
FEDERAL HORTICULTURAL BOARD,
Austin, Tex., May 29, 1920.

Hon. R. L. McDOWRA,
Chairman Joint Committee Pink Bollworm Investigation, Capitol.

DEAR SIR: Supplementing my letter of yesterday, the board feels that it would be desirable to submit to you a little more definite statement of the reasons for the inability of the board to approve for the department the substitute bill drawn up by the subcommittee appointed by your joint committee to reach a basis of settlement on the pink bollworm situation.

In general this proposed bill provides for no comprehensive work and only for piecemeal control limited to individual cotton fields and would therefore be of little practical value in connection with the pink bollworm problem in this State. The inadequacy of the bill as furnishing means for the control and, if possible, the extermination of the pink bollworm may be more plainly indicated by the enumerated following paragraphs:

1. It proposes to fix, and therefore limit, the number of inspectors.

2. It makes it necessary also to have two citizens on salary accompany each inspector, vastly increasing the difficulty and expense of inspection.

3. It limits entry and inspection to lands actually in cotton and lands adjacent thereto. It would exclude, therefore, from inspection all old cotton lands, mills, warehouses, railway cars, stations, etc.

4. It makes necessary as many pink bollworm commissions as there are counties to which it may be necessary to extend inspection. If the representatives of the Federal department and of the State department of agriculture should be designated as members of all commissions it would not be possible for these officers to attend to their duties probably even in one county in the active season on account of the number of cases which would have to be considered.

5. Before any field can be inspected and, if found infested, cotton destroyed the necessary steps to be taken and periods of time for notices and other formalities provided for aggregate not less than 60 days, and that only when all of the officers, including the governor of the State, secretary of agriculture, county judges, and others act promptly. If the owner should refuse to accept the award of damages and the case were carried to the courts the postponement of the act might easily become a matter of many months or years, involving appointment of appraisers, court proceedings, and numerous actions and provisions, as set forth in eight subsections of the bill—for example, advertising as in civil cases in the case of absentee owner, etc.

6. It limits action to a particular field or fields, and quarantines to establishment of a regulated quarantine of a 5-mile radius about such fields. This provision makes it impossible to take any adequate State action of comprehensive nature necessary to exterminate or even efficiently control the pest, even if the delays probable under the proposed act could be avoided.

7. The provisions for the regulation of the movement of cotton and cotton products from regulated zones are insufficient, and in certain features contradictory.

8. The proposed act, while having the merit of ordering existing regulated zones to remain in force until annulled, would annul the existing noncotton zones in the State, which include the Hearne, Great Bend, and border noncotton zone, comprising the counties of Val Verde, Kinney, and Maverick. It would further annul the entire general border zone.

The board desires respectfully to suggest that the important object sought by the Federal Department of Agriculture and by the authorities of this State is the extermination of the pink bollworm, and that this can be prosecuted under the pink bollworm act of 1919, which, while not compelling noncotton zones, makes provision for such zones when they shall be determined to be necessary. The board believes, therefore, that this act of 1919, with the minor amendments indicated in copy attached and such additions as may be necessary to provide for compensation and necessary appropriations, would furnish adequate measures to protect the planters involved and the cotton interests of the State.

Very sincerely yours,

C. L. MARLATT, *Chairman.*

EXHIBIT "C."

AUSTIN, TEX., *May 29, 1920.*

Hon. WM. P. HOBBY,
Governor of Texas, Capitol.

SIR: The presentation of two types of bills dealing with the pink bollworm problem in Texas, based upon the two prevailing divergent views, makes it possible at this time to state the Federal department's position definitely and finally. The department feels that the legislature now in session is entitled to this information.

Federal work in Texas must be made possible or the work will be forced out of the State. The three essential needs for the continuance of Federal aid follow:

First. Authority to make inspection of all places, plants, fields, premises, and other factors related to cotton or possible of harboring or carrying the pink bollworm, without any restrictions that will prevent immediate inspection.

Second. Provision for prompt destruction, disinfection, or otherwise adequately safeguarding of infested fields, materials, etc. Such safeguards as enumerated are to come first and reimbursement to follow, as the department is advised is provided for in the case of farcy or glanders.

Third. Maintenance of existing provisions for and status of regulated zones. The removal of the 5-mile limitation is strongly urged.

Noncotton zones are not a condition of Federal aid in the control of the pink bollworm in this or any other State. Your decision on that feature is simply one of policy, namely, whether you wish to accept the pest as an increasing factor limiting cotton production, or whether you wish to take the present and rapidly passing opportunity to very possibly rid your State of the insect. Whichever decision you make the Federal work will go on if wanted and made possible.

The failure to stamp out this pest or to take steps believed to be adequate to that end will undoubtedly result in the continuance of State quarantines and will necessitate Federal action.

With respect to the three conditions stated inspection must be broad enough to cover all needs and must be immediate and untrammeled or it is valueless. Made after a month or two it would mean opportunity for the emergence of one or more new generations of the pest, enormously increasing its numbers. Some 200 moths are the increase of one month, and, reckoning one-half of these as females, gives a possibility of 20,000 at the end of the second month, when, under the plan of the substitute bill, legal destruction of the cotton might begin. In the meantime the pest could easily and almost certainly would spread to other fields.

What has just been said indicating the need of prompt inspection applies with greater force to the destruction or safeguarding of cotton and cotton products infested with the pest, because here the infestation is an established fact. Make the reimbursement as certain and prompt as you can, but destroy the pest first. You can not quarantine or isolate it as you can glanders.

Very respectfully,

C. L. MARLATT, *Chairman.*

TELEGRAPHIC CORRESPONDENCE RELATIVE TO TEXAS PINK BOLLWORM LEGISLATION.

EXPLANATORY NOTE.

The Legislature of Texas, after conducting a hearing before a joint committee of the house and senate covering a period of two weeks, accepted the bill recommended by this committee and drafted by the attorney general of the State in cooperation with Gen. Wolters, the chief attorney for the objecting planters, and generally known as the Wolters bill. The inadequacy of and vital objections to this bill had been very plainly indicated by the members of the Federal Horticultural Board, representing the department, at the invitation of the governor and the Legislature of Texas to aid in the proposed pink bollworm legislation. In spite of these representations, this bill, with minor amendments, was passed by the house June 9 and by the senate June 12. A joint conference committee

of the house and senate took up consideration of the bill June 14. The telegraphic correspondence between the governor of Texas and others with the Secretary of Agriculture with relation to this legislation and the strong representations made by the governor of Texas to the Legislature, based on this correspondence, led to the ultimate rejection of the Wolters bill and the taking up on June 16 by the conference committee of the pink bollworm act of 1919, amended as suggested by Judge Tillotson, the author of the original act. This substitute bill was adopted the day following, June 17, receiving in the House 95 votes in favor to 5 against, and in the senate 21 votes in favor to 4 against, thus securing the necessary two-thirds in each branch to enable it to go into immediate effect. It was signed by the governor, June 19, to take effect immediately.

The principal elements of the correspondence between this department and the governor of Texas and others, which largely led the Texas Legislature to take this action, are reproduced below as a matter of record. The first telegram from the Secretary of Agriculture to the governor of Texas was in answer to the report that it was being represented to the Texas Legislature that the Wolters bill was satisfactory to the department and that this entirely unwarranted statement was being used as the strongest argument to secure the adoption of the measure. The letter referred to is that submitted by the chairman of the board to the Texas Legislature on May 31, and quoted on page 63 of this number. This letter was promptly transmitted by Governor Hobby to the Legislature.

[Telegrams.]

WASHINGTON, D. C., *June 10, 1920.*

Hon. W. P. HOBBY,
Governor of Texas, Austin, Tex.:

I have read the letter of the chairman of the Federal Horticultural Board, presented in identical form on May 31 to you, to the chairman of the joint committee, and to the presiding officers of the senate and house of the Texas Legislature, and I feel that I ought to say to you that this letter meets with my unqualified approval. The department is still strongly of the opinion that, unless provision is made for regional noncotton zones, the State of Texas will lose its only opportunity to effect the complete extermination of the pink bollworm. At the same time, the letter of the Federal Horticultural Board, in my judgment, clearly sets forth the minimum conditions under which continuation of the efforts of the department to eradicate the pink bollworm from Texas will be possible, entirely aside from the question of declaring noncotton zones to cover the infested areas. If these conditions are not met, the deparment will be compelled to withdraw its forces engaged in eradication work in Texas, to treat the entire State as a unit, and to proceed with the issuance of the quarantine discussed at the hearing on April 6 in order to protect the other cotton-growing States.

E. T. MEREDITH, *Secretary.*

HOUSTON, TEX., *June 11, 1920.*

Hon. E. T. MEREDITH,
Secretary of Agriculture, Washington, D. C.

Gov. Hobby, who happens to be in Houston to-night, requests me to send you following written by himself:

"Situation with respect to pink bollworm legislation critical and difficult to adjust. Would appreciate it if you will wire me at Austin by to-morrow noon if legislation making an appropriation not to exceed $100,000 to put present Texas pink bollworm law in effect, and amend that law by providing that noncotton zones may be established next year in case infestation develops because too late to establish this year, thus providing definitely machinery for noncotton zones for next year. Will it serve to continue the cooperative work in Texas of your department, continue preventive work under your direction, and serve to prevent a State quarantine as proposed on April 6, and limit quarantine if any to infested districts. Dr. Marlatt is familiar with present Texas law and effect of these changes."

HUNTER.

WASHINGTON, *D. C., June 12, 1920.*

Hon. W. P. HOBBY,
Governor of Texas, Austin, Tex.

Referring to the telegram of June 11 sent by Dr. Hunter at your request from Houston, you are advised, as stated in my wire of June 10, that the department is strongly of the opinion that unless noncotton zones are immediately established and enforced in the areas known to be infested by the pink bollworm Texas will probably lose its only opportunity to effect the complete extermination of this pest. Failure to establish and enforce such zones will necessarily raise the question of a State-wide quarantine in order to protect other cotton growing States. Congress having made an appropriation for cooperation with the States in control work, the department can continue its efforts to bring about the extermination of the insect if conditions which make such work possible and practicable are provided. The work, of course, could be carried on under the pink bollworm act of 1919, but the department feels very strongly that its effectiveness or practical value would be very doubtful if noncotton zones are not established. It seems highly desirable, in any event, to provide definitely for reimbursement of planters for losses sustained by them in order to facilitate effective administration of noncotton zones when established.

E. T. MEREDITH, *Secretary.*

AUSTIN, TEX., *June 13, 1920.*

Hon. E. T. MEREDITH,
Secretary of Agriculture, Washington, D. C.

It would help situation very much if you would give definitely favorable answer to my telegram from Houston of June 11. It is impossible for noncotton zones to be immediately established by law because law will not become effective until 90 days under Texas constitution, and then this year's crop will have matured. My telegram asked if destroying this year where infestation appears, and noncotton zones next year where infestation appears, made possible by a $100,000 appropriation to put present Texas pink bollworm law in effect, will serve to continue work of your department and prevent interstate quarantine except against infested areas; and I sincerely hope you will be able to acquiesce in this, as it is unquestionably to best interests of all, as I see it.

W. P. HOBBY, *Governor of Texas.*

WASHINGTON, D. C., *June 15, 1920.*

Hon. W. P. HOBBY,
Governor of Texas, Austin, Tex.:

Your telegram received. Supplementing my wire of June 12, I may say that, as stated repeatedly in Texas, the department will limit the Federal quarantine to actual necessities, but the possibility of adequately determining such necessities must be afforded by suitable legislation. Federal aid in control work will be continued so long as the opportunity is afforded by the State to make the results of such aid worth the expenditure of the money involved. The department, of course, can not undertake to meet the cost of cleaning scattering infested fields in a district known to be generally invaded, with the full knowledge that such clean-up work will not result in any real progress toward the extermination or even the material control of the pest. I regret to advise you that under the terms of the bill now before your legislature, even with the amendments which have been made to it, so far as they have been reported to me, including the form in which it passed the senate, it is plainly evident that it will not be possible for this department to conduct adequate field and regional surveys as a basis for a limited quarantine and therefore under the present wording of this bill a State-wide quarantine would seem to be a necessity. As indicated in the Federal Horticultural Board's letter of May 29, authority must be provided not for mere field or farm inspections, but for prompt and continuing regional inspections anywhere in the State, as has been the practice during the last three years. It must be remembered that the continuation of the growth of cotton in the invaded areas means the maintenance in these areas of centers from which the insect may be suddenly carried widely over Texas by unusual storms, to say nothing of its spread through natural means, human

agencies, or other factors. Such possibilities of spread will necessarily have to be taken into account in determining quarantine action. I venture to suggest that the existing law of 1919, amended along the lines indicated by Mr. Tillotson to the Federal Horticultural Board and in the form originally introduced by him at the present session of the legislature, seems to offer the best means of meeting the situation. Mere field inspection certainly does not jeoparize the growing crop to such an extent as to make it necessary to surround such inspections with restrictions which make the usefulness of the inspection negligible. As to the noncotton zones suggested for next year, such zones, even if established, will be of no benefit if based on the plan of legislation now before the legislature limiting them to infested fields. The stopping of the growth of cotton in individual infested fields would tend to scatter the insect to the adjoining fields. A noncotton zone is useless unless it is regional and covers the entire district that is invaded, prohibiting the growth of cotton throughout the district.

E. T. MEREDITH, *Secretary.*

AUSTIN, TEX., *June 17, 1920.*

Dr. CHAS. L. MARLATT,
Department of Agriculture, Washington, D. C.

DEAR SIR: The legislature to-day practically unanimously adopted substitute bill by senate and house conferees for the committee bill under consideration when you were here with the concurrence of the governor and in the absence of Dr. Hunter I am communicating substance of new bill. This new act retains all essentials of the old law amended by the improvements in that law suggested in the Tillotson bill and adds nothing contrary to continued cooperation of your board on the previous basis. The law is strengthened by the declaration that the bollworm is a destructive pest, a public menace, and eradication a necessity. A new section expressely declares the State policy in control and eradication in which is included destruction of infested fields and cotton products supervision of growing in areas known contaminated and the prevention of planting of cotton in areas where infestation has been found. It retains the border zone and provides more adaptable special or emergency quarantines. It rewrites the regulated zone provision and improves it. It reenacts the noncotton zone provision of the old law and removes the 5-mile limit and substitutes for such limit the following language: "Which area shall not include more territory than is known to be infested and such adjacent territory as the evidence adduced at hearings of the bollworm commission indicates with reasonable conclusiveness to be contaminated and as appears from the facts developed to be infested to such extent as to justify its inclusion in such zone as a necessary act of protection against the spread of the bollworm." I consider this a distinct improvement over the old law and in harmony with your views on most effective work. A proviso does, however, direct the continuation of present regulated zones during 1920, a compensation claim board is authorized, and provision made for payment of losses to producers through prevention of growing cotton. Continued cooperation of the Federal Government is authorized and invited. Dr. Hunter is expected in Austin Friday, and I would like you to consider the situation and communicate with him and if possible give some expression through him of the board's attitude on the subject of quarantine. The session ends in another day and the governor will leave for San Francisco Monday. Public much interested in your decision, which I trust will be to accept the action of the legislature as expression of continued determination to adequately protect the cotton industry.

LEONARD TILLOTSON.

WASHINGTON, D. C., *June 18, 1920.*

LEONARD TILLOTSON, *Austin, Tex.:*

Thank you for your telegram of June 17. Department regrets exceedingly the failure of Texas to provide for a noncotton zone for this year for infested districts. Department will cooperate with State of Texas to the fullest extent possible in safeguarding situation under the new legislation. As stated in the secretary's telegram of June 15 to Gov. Hobby, Federal quarantine will be limited to actual necessities as they are determined from time to time.

C. L. MARLATT.

AUSTIN, TEX., *June 18, 1920.*

MARLATT,
Agriculture, Washington, D. C.

Two alternatives now before governor, (1) to veto bill just passed (2) to approve item in general appropriation bill providing $100,000 for enforcing old Tillotson law. Latter course would merely leave old law with all its deficiences in effect and without permission for compensation. No noncotton zone for this year would be possible. Approval of bill just passed would in my opinion be better course and give much better basis for future work. Governor desires your opinion as to course he would better follow. Address Avenue Hotel.

HUNTER.

AUSTIN, TEX., *June 18, 1920.*

MARLATT,
Agriculture, Washington, D. C.

At conference to-day with Gov. Hobby and Tillotson they strongly represented concern of business interests throughout State for definite expression by the department that legislation just enacted not only assures continued cooperation of board in control and eradication work in Texas as expressed in your telegram of this date to Tillotson but that the board should also give more definite assurance at this time that upon basis of legislation providing for recogniion of noncotton policy of eradication and creating necessary machinery for its effective enforcement there is not now contemplated and will be no quarantine against Texas as a unit but that it will be deemed sufficient by the department to limit quarantines approximately to known infested areas. Legislature adjourned to-day. Governor will leave for national convention Monday and feels it incumbent on him to make every effort to allay popular apprehension throughout State respecting proposed quarantine before leaving. He would greatly appreciate definite expression concerning limitation of quarantine tomorrow that publication may be made in Sunday's papers. Uneasiness is very manifest in business circles and the desired statement can in my opinion be safely made and would not only reassure business but materially strengthen the position of department. Address Avenue Hotel.

HUNTER.

WASHINGTON, D. C., *June 19, 1920.*

W. D. HUNTER,
Avenue Hotel, Austin, Tex.

Your two telegrams 18th. Advise governor, in view of apparent impossibility enforcement of noncotton zone of old law, would advise acceptance new bill in preference to continuation old law. Federal quarantine will be based on present known infested districts. Any later extension of such quarantine will depend on determination of further spread or other conditions necessitating such extension.

MARLATT.

TEXAS PINK BOLLWORM ACT OF 1920.

A bill to be entitled "An act to prevent the introduction into the State of Texas of the destructive cotton pest, *Pectinophora gossypiella*, Saund., known as, and hereinafter referred to as the pink bollworm, and to control and eradicate such insect pest when and where discovered in this State; creating a zone along the boundary between Texas and Mexico, and providing for the inspection of fields of cotton and for general control of products in such zones; providing for emergency quarantine of cotton or cotton products contaminated or infested with such pest and for the adequate disinfection of such cotton products; providing for supervision of areas contaminated or infested, but in which it is not deemed necessary to destroy the cotton or fields of cotton; providing for the condemnation, destruction, and compensation of fields of cotton infested or cotton or products found to be infested; providing for the creation by proclamation of the governor of zones in which cotton may be grown under regulations,

and for zones in which the growing of cotton may be declared a public menace and its production prohibited; authorizing the governor to issue special or emergency quarantines; making it the duty of the commissioner of agriculture to promulgate rules to effectuate the provisions of the act, and to exercise the general authority herein conferred in the accomplishment of the purposes of the act; providing for the appointment of a pink bollworm commission and prescribing its duties; providing in the event of the establishment of noncotton zones for the appointment of a compensation claim board and describing its duties; authorizing the commissioner of agriculture to cooperate with the Secretary of Agriculture of the United States; providing for the payment of compensation to persons who may sustain loss or damage through the operation of the act; defining the pink bollworm and defining 'cotton' or 'cotton products;' declaring the policy of the State in its efforts to control and eradicate the pink bollworm; providing penalties for the violation of the provisions of the act; declaring that all laws or parts of laws in conflict with the act are repealed; making an appropriation for the administration of the act, and for compensation of persons sustaining loss or damage; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The *Pectinophora gossypiella,* Saunders, known as the pink bollworm, is recognized as a destructive pest of cotton, is hereby declared a public nuisance and a menace to the cotton industry, and its eradication is a public necessity.

SEC. 2. The "pink bollworm" in this act shall mean the worm in its various stages of development, including the egg, larval, pupal, and adult stages.

SEC. 3. The term "cotton" or "cotton products" in this act shall mean cotton in the seed, ginned lint cotton, seed, hulls, cotton in the bolls, cotton stalks, and any and all character of cotton products except oil and meal.

SEC. 4. It is hereby declared the policy of the State in endeavoring to control and eradicate the pink bollworm cotton pest to employ all such methods as scientific research demonstration to be successful and as may be sanctioned by constitutional warrant, including inspection of cotton plants in the fields, or of cotton and cotton products wherever stored; the quarantine and fumigation of cotton products found to be contaminated; the destruction of infested cotton or cotton products; supervision of the growing of cotton in areas known to be contaminated; destruction of infested fields of cotton or of cotton or cotton products; and the prevention of planting of cotton in areas where infestation has been found.

SEC. 5. There is hereby created a zone along the boundary between the State of Texas and the Republic of Mexico comprising the counties of El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Val Verde, Kinney, Maverick, Webb, Zapata, Starr, Hidalgo, and Cameron, and that part of Dimmit County south of a line drawn diagonally across the county from the northwest corner of the county where it joins Zavalla and Maverick Counties, to the southeast corner of said Dimmit County on the line of Lasalle County, for the purpose of aiding in the prevention of the introduction into this State of the cotton pest, the "pink bollworm."

SEC. 6. It shall be the duty of the commissioner of agriculture of this State to maintain a rigid inspection of the cotton fields and of the cotton and cotton products in the zone provided for in section 5 of this act in such manner as to determine the presence of pink bollworm in all stages of development; and if the pest is discovered in such zone the commissioner shall certify that fact to the governor of the State, who shall immediately proclaim a quarantine of such territory in the zone and such territory adjacent thereto as may be deemed

necessary to prevent further advance of the pest into Texas; and thereafter it shall be unlawful for any person or persons to transport cotton or cotton products of any kind from any territory within the counties in such zone, or the territory adjacent thereto that may be embraced in such quarantine proclamation, through or to any other part of the State of Texas, or transport any car or vehicle or freight or other article contaminated with cotton seed, or other products of cotton capable of carrying the pink bollworm in any of its stages of development from the counties embraced in such zone and covered by the proclamation herein authorized through or to any other point in Texas, unless and until it shall have been freed from cotton seed or other cotton products and shall have been properly fumigated or disinfected in such manner as the commissioner of agriculture of this State shall direct. Any such fumigation or disinfection and the cost of such protective measures against the spread of the pink bollworm shall be paid from any funds in the treasury available by legislative appropriation for the control and eradication of the pink bollworm.

SEC. 7. If the cotton pest known as the pink bollworm in any of its different stages shall be found in any gin, cotton seed oil mill, compress, or warehouse, or other building or premises, or in any car or other transportation vehicle in the State, and outside of the zone provided for in section 5 of this act, the commissioner of agriculture of the State shall immediately certify that fact to the governor, who shall be authorized to proclaim a special emergency quarantine surrounding the known location of the pest to such extent as may be determined sufficient to prevent the spread of the pink bollworm, and it shall be unlawful for any person or persons to ship any cotton products of any kind from such quarantined premises or transport any car or vehicle or freight or any other article contaminated with cottonseed, or other cotton products capable of carrying the pink bollworm in any of its stages from the quarantined area through or to any other point in the State unless and until it shall have been freed from cotton or cotton products, and shall have been fumigated or disinfected in such manner as the commissioner of agriculture shall direct. All such fumigation or disinfection expense shall be paid from any fund set apart by legislative appropriation for the control and eradication of the pink bollworm. Such emergency quarantine shall not continue for a longer period than necessary to effect thorough fumigation and not to exceed 30 days. Any damage sustained by the owner of such cotton products by reason of the fumigation and quarantine shall be paid by the State as hereinafter provided.

SEC. 8. In the event of discovery of infestation in fields of cotton, which infestation in the judgment of the commissioner of agriculture of the State does not require the destruction of the cotton and cotton plants in the field or fields infested, the commissioner of agriculture shall report such condition to the governor and certify a recommendation that such field or fields of cotton shall be placed in a special quarantine district determined sufficient in area to prevent the spread of the pink bollworm, and the governor may issue his proclamation declaring such quarantine, and thereafter it shall be unlawful for any person or persons to remove any part of such cotton or cotton plants being grown in such field or fields except under such rules and regulations as the commissioner of agriculture shall promulgate as requisite to prevent the spread of the pink bollworm; the regulations to be issued by the commissioner of agriculture under the provisions of this act may include ginning of cotton in gins located within the quarantined district, or gins designated by the commissioner; the crushing of all seed produced either in the quarantined district or at designated mills, and adequate fumigation of all hulls; the marketing of all products in such

manner as to prevent further infestation; the cleaning of fields after the cotton is gathered and under such conditions as may be deemed essential by the commissioner. The loss, if any, to the owner of such cotton or fields of cotton sustained by reason of the quarantine herein authorized shall be ascertainable in the same manner as herein provided for the destruction of cotton or fields of cotton, and the owner of such cotton or fields so quarantined shall be entitled to recover compensation for the loss sustained by reason of such act of quarantine as may be awarded, and such person or persons shall have the right of appeal from such award as provided in this act. All extraordinary work and attendant expenses necessary to the eradication of the pink bollworm in such special quarantine areas shall be borne by the State. And in the event it becomes necessary, in the judgment of the commissioner of agriculture, to prescribe rules for the cleaning of any fields quarantined under the provisions of this section to destroy the pink bollworm, such cleaning of fields shall be conducted under the supervision of the commissioner of agriculture, who shall certify the expense therefor by a sworn statement to the State comptroller, who shall issue his warrant payable from any funds set aside by legislative act for the control and eradication of the pink bollworm.

Sec. 9. If it shall become necessary, in the judgment of the commissioner of agriculture of this State, to the protection of the cotton industry of Texas that the commissioner shall destroy cotton and cotton plants being lawfully grown in any field or fields in which the pink bollworm may have been discovered, he shall report such condition and certify a recommendation to that effect to the governor, who shall thereupon declare such cotton or fields of cotton a public menace; and upon the promulgation of such proclamation the commissioner of agriculture shall be empowered to exercise all authority requisite to the complete destruction of such cotton or cotton plants in such field or fields, and it shall be his duty to effect such destruction in such manner as may be deemed essential to the eradication of the pest and to the adequate protection of the cotton industry of Texas. In the event it shall be found necessary in the accomplishment of the purposes of this act to destroy any field or fields of cotton, the county judge of the county in which such field or fields may be located shall immediately appoint three disinterested citizens whose duty it shall be to carefully examine such field or fields of cotton and report to the county judge their conclusions of the value of the cotton in such field or fields to be destroyed. Before entering upon the duties required of them such citizens shall take an oath, before some officer legally qualified to administer oaths, that they will discharge impartially the duties herein provided for. When the report of the said three citizens shall be filed with the county judge it shall be his duty to transmit the same, with his indorsement, to the commissioner of agriculture, who shall certify to the fact of such field or fields of cotton having been destroyed in pursuance of the provisions of this act, and he shall then file such report and certificate with the State comptroller, who shall issue his warrant upon the State treasurer for such sum as may be declared just and due in such report, which sum shall be paid from any funds in the State treasury set aside by an act of the legislature for the control and eradication of the pink bollworm: *Provided*, That if any person whose cotton or field of cotton has been destroyed under the provisions of this act is dissatisfied with the estimate of damage assessed by the said three citizens, he shall have the right to institute suit for the recovery of his damage against the State in any court of competent jurisdiction of Travis County, Tex.

Sec. 10. Whenever a field of cotton shall have been condemned and ordered destroyed to prevent spread of the pink bollworm, it shall become the duty of the commissioner of agriculture to promulgate rules and regulations for the

thorough destruction of all plants and for the cleaning of the ground in such manner as may be deemed essential to the eradication of the worm in any of its stages of development. The work of destroying the cotton plants and the thorough cleaning of the field shall be conducted under the supervision of the commissioner of agriculture, and the actual expense of such destruction of plants and cleaning of fields shall be paid for from any funds set aside for effecting the purposes of this act. It shall be the duty of the owner of such field or fields of cotton, or the tenant in possession of such premises and growing such cotton, to render all assistance practicable to the commissioner of agriculture in the work of destruction of plants and the cleaning of fields.

SEC. 11. Whenever, upon investigation, the commissioner of agriculture shall deem it necessary to the cotton industry of Texas, that the growing of cotton in any area within the State be placed under supervision, as a means of aiding the control and eradication of the pink bollworm, whether such area has been embraced in any of the temporary quarantine districts heretofore provided for or not, he shall certify such conclusions to the governor and it shall become the duty of the governor to appoint a Pink Bollworm Commission for the State which commission shall perform the duties imposed by the provision of this act until relieved therefrom by the governor. The said commission shall be composed of one person appointed upon the recommendation of the Secretary of Agriculture of the United States, one upon the recommendation of the commissioner of agriculture of Texas, one upon the recommendation of the judge of the district court in which the county or counties embraced in the report of the commissioner of agriculture is located, and two citizens residing outside the district embodied in the recommendation of the commissioner, appointed upon the discretion of the governor. Should either of the officials herein authorized to make a recommendation for the appointment of a member of the commission refuse or fail to do so within a reasonable time, the governor shall make such appointment upon his own discretion; or should any person so nominated or appointed refuse to serve or become incapacitated for service the governor shall be authorized to fill such place by appointment upon his own discretion. If, upon thorough investigation of the conditions existing in the area embraced in the report and recommendation of the commissioner of agriculture to the governor, the Pink Bollworm Commission shall conclude that the suspected or known infestation is of such nature that it does not then constitute a present menace to the cotton industry, and does not appear probable that it will constitute a serious menace, to permit the growing of cotton under restrictions believed adequate to prevent any spread of the pink bollworm, they shall certify such conclusions to the governor, setting out in detail the area to be embraced in such regulated zone, which shall not extend beyond such area as may be known to be infested or contaminated in such degree as to require supervision in accordance with the purposes of this act, who shall thereupon, issue his proclamation designating a regulated zone or district, in which the growing of cotton shall be declared permissible if and when carried on in conformity to regulations prescribed therefor by the commissioner of agriculture, which regulations shall embrace the planting of seed from non-infested territory, ginning within the zone designated, crushing the seed within the zone or at designated points, marketing, cleaning the fields, and such other rules as may be found essential. It shall be the duty of the commissioner to promulgate the regulations herein authorized as soon as practicable after the designation of any regulated zone. Such proclamation of the governor establishing such regulated zone shall remain in effect until continued thorough investigation shall indicate the removal of danger of recurrence of infestation.

Fields found infested in any regulated zone may be condemned, valued, paid for, and destroyed at any time in the manner herein provided for, the destruction of infested fields constituting a present menace.

SEC. 12. Whenever, upon careful investigation, the commissioner of agriculture in the administration of this act, in accordance with the purposes expressed in its provisions, shall conclude that the growing of cotton in any territory within the State shown to be infested under the requirements of this act in the manner provided for the determination of such infestation, will constitute a serious menace to the cotton industry and detrimental to the public welfare, he shall certify such conclusion to the governor, who shall thereupon direct the convening of the Pink Bollworm Commission, herein authorized, which commission shall conduct a hearing or hearings in the manner provided in this act, and certify their recommendations to the governor in the manner provided for the performance of the duties devolved upon the said commission. In event such recommendations of the commission shall be for the prevention of planting of cotton in any area and for the establishment of a noncotton zone, such recommendation shall specify the area to be embraced in the proposed noncotton zone, which area shall not include more territory than is known to be infested, and such adjacent territory as the evidence adduced at such hearings indicates with reasonable conclusiveness to be contaminated, and as appears from the facts developed to be infested to such extent as to justify its inclusion in such zone as a necessary act of protection against the spread of the pink bollworm; and if the governor shall approve such report he shall thereupon issue his proclamation designating such noncotton zone or district and the area thereof in which the growing of cotton shall be declared a public menace, and thereafter it shall be unlawful to plant, cultivate, or grow cotton in such zone for such period as the proclamation may designate: *Provided*, That at the end of the crop season next following the creation of any noncotton zone under the provisions of this act, the commissioner of agriculture shall cause to be made a through investigation of the field or fields of cotton and the territory embraced within the noncotton zone, and after such investigation shall file a report and recommendation with the governor indicating whether or not the result of such investigation requires the continuation of the noncotton zone, or will justify the modification of such quarantine restrictions, to those which are provided herein for a regulated zone, under which the growing of cotton is permitted under regulation, and if the recommendation of the commissioner shall be for a regulated zone, the governor shall be authorized to proclaim such territory a regulated zone; and if the recommendation of the commissioner of agriculture shall be that it is necessary to the protection of the cotton industry that the noncotton zone be continued, the governor shall again direct the convening of the Pink Bollworm Commission who shall conduct the hearing and report its conclusions as authorized by this act; and if such report recommends a continuation of the noncotton zone, the governor shall, if he approves such recommendation, issue his proclamation declaring such zone as herein provided; and thereafter no such noncotton zone shall be established except in accordance with the requirements herein expressed for a public inquiry from year to year by the Pink Bollworm Commission.

In the event of the establishment of any noncotton zone as authorized in this section, all persons prevented from producing cotton in the noncotton zone shall be entitled to receive compensation from the State in the measure of the fair rental value of the land which in the preceding year had been actually devoted to the production of cotton, where the owner thereof has been unable to have the said land cultivated in crops other than cotton during the year in which the planting of cotton is prohibited; where the owner of

such land is able by the exercise of due diligence to procure the production of crops other than cotton upon such land, his measure of compensation shall be the difference between the fair rental value of said land had it been planted in cotton and its fair rental value when devoted to crops other than cotton to which it is best adapted; and the compensation claim board, hereinafter provided for, shall ascertain the measure of compensation to which the respective claimants prohibited from planting cotton may be entitled: *Provided*, That such regulated zones as have been established and are in force when this act becomes effective shall be continued as regulated zones for the year 1920.

SEC. 13. Before any quarantined zone relating to the supervision and control of the planting and growing of cotton, or the prevention of planting and growing, shall be declared and established, the commissioner of agriculture of this State shall cause to be made a thorough examination of the district in which it is proposed to establish such supervision or restriction by a competent and experienced entomologist, who shall, after going upon the premises and after making examination in person, accompanied by the owner of the premises, or the owner of the cotton crop, and some other person chosen by the said owner and not interested in the crop, to report the result thereof to the commissioner of agriculture. Should this report express the conclusion that the pink bollworm exists in any of its stages of development within the territory under investigation, the Pink Bollworm Commission herein provided for shall conduct a hearing in each county in which such infestation is alleged to exist. Due notice of the time and place of each hearing shall be given by publication in some newspaper published in the county, or if no paper is published in the county, then in some newspaper nearest the county, not less than five days prior to the date of such hearing, and by mailing from the office of the commissioner of agriculture not later than five days before the date of such hearing a registered letter addressed to each person growing cotton within the district and whose premises may be included within the zone that may be recommended. Each such notice and letter shall state the date and place of hearing. At such hearing the commission shall hear all such statements, under oath, as may be relevant to the duty devolved upon them in the investigation of the nature and extent of pink-bollworm infestation and the area that should be embraced in any zone that might be recommended by them. Should the infestation in the judgment of the commission be of such nature as to require restrictions imposed upon the district they shall report a recommendation to the commissioner of agriculture stating whether the infestation is of such character as to require the issuance of a proclamation by the governor declaring a regulated zone or a noncotton zone in the manner such zones are respectively authorized by the provisions of this act. As a necessary preliminary to the inquiry to be conducted by the said Pink Bollworm Commission the commissioner of agriculture shall present to the commission a statement setting forth the following facts:

1. The name of the entomologist making the examination on behalf of the State department of agriculture, together with the name of the owner of the infested fields and the name of the person accompanying the owner at the time of the investigation.

2. The date when such examination was made.

3. The locality where the pink bollworm was found.

4. The known extent of infestation on each of the premises reported infested.

5. Any other information deemed necessary by the commission for the discharge of its duties under the provisions of this act. Such statements shall be verified by oath of the person making the same, and shall be filed and preserved

in the office of the commissioner of agriculture and be open for the inspection of the public.

SEC. 14. Whenever the governor shall, as authorized in this act, proclaim a noncotton zone in which growers of cotton are prevented from producing cotton in such zone, he shall appoint a compensation claim board, whose duties it shall be to determine, in the matter herein provided, the measure of compensation due such persons prevented from growing cotton. The said board shall be composed of three citizens of the State residing outside the area embraced in such zone and who are generally recognized as having practical knowledge of the production of cotton and the cost of such production. Before entering upon their duties the members of the board shall take the constitutional oath of office required of officers of the State, and each of them shall execute a bond payable to the governor of the State in the sum of $5,000, with two or more sureties approved by the governor, conditioned upon the impartial discharge of the duties devolved upon them. The board shall organize by electing one of its number chairman, and the commissioner of agriculture ex officio secretary of the board; the concurrence of two members of the board shall constitute legal action of the body. The board shall receive as compensation the sum of $10 a day and actual necessary traveling expenses when engaged in the performance of their duties and shall be authorized to employ such assistance as may be required and to fix their compensation. The per diem expenses and compensation of assistants shall be paid upon a certified statement of the chairman of the board, attested by the commissioner of agriculture, from any funds provided for the administration of this act or for compensating persons prevented from producing cotton. Each allotment of compensation shall be evidenced by written order entered in a permanently bound book kept by the board in the office of the commissioner of agriculture, and a certified copy of such allotment shall be given the claimant, and payment of compensation allowed shall be made upon the certified statement of the chairman of the board, attested by the commissioner of agriculture. The compensation claim board shall conduct public hearings in each county from which claims have been filed, due notice of which hearing shall be given by the publication in some newspaper published in or near the county or counties in which the claimant resides not less than five days before the day of such hearing, and by mailing from the office of the commissioner of agriculture to each such claimant a registered letter not later than five days prior to the hearing, which notice and letter shall state the place and date of the hearing. Should any claimant be dissatisfied with the measure of compensation allowed by the board he shall have the right to appeal to any court of competent jurisdiction in Travis County, Tex. Every such claim for compensation from the State shall be made under oath, attested by two citizens of the county in which the claimant resides, upon blanks to be furnished by the commissioner of agriculture, and shall be filed in the office of the said commissioner not later than November 15 of the year for which claim for compensation is made. All claims shall be heard and acted upon not later than January 15 of the year following the year for which the claim may be made. Every such claim shall state:

1. The name and post-office address of the claimant.
2. The location of the farm upon which the claimant formerly produced cotton.
3. The number of acres planted in cotton by the claimant for the year next preceding that for which compensation is claimed or preceding the year the claimant was first prevented from planting cotton.
4. The total acreage of all crops produced in the year next preceding that for which claim for compensation is asked.

5. All other information deemed essential by the said compensation claim board for the performance of the duties devolved upon them by this act.

SEC. 15. For the purpose of complying with the requirements of this act in preventing the introduction of the pink bollworm into Texas, or to eradicate the pest if its presence shall be discovered in the State, the commissioner of agriculture and his authorized agents shall have power to enter into any field or fields of cotton or upon any premises in which cotton or its products may be stored or held, and may examine any products or container of cotton or its products, or things or substance liable to be infested with the pink bollworm in any of the stages of its development. The State of Texas shall be responsible for all injury and damage to property by such inspectors in the performance of their duty, and all claims for damages shall be made out in duplicate, fully and plainly itemized, be sworn to by the claimant and by two disinterested persons and be filed with the commissioner of agriculture, who shall investigate into the reasonableness of the same and approve the same for such amount as may appear to him to be reasonable, and the same shall be paid out of the appropriation herein made by warrants drawn by the comptroller of the State upon the State treasurer.

SEC. 16. The commissioner of agriculture shall make adequate investigation to determine the presence of the pink bollworm in the State, and shall take prompt action to secure the establishment and maintenance of an effective quarantine of all infested areas that may be discovered within the State, pursuant to the provisions of this act. For the purpose of carrying out the provisions of this act the commissioner of agriculture may employ inspectors and such other help as he may deem necessary, and may prescribe the duties of such inspectors and other help: *Provided*, That no person shall be appointed as an inspector who has not had at least three years' actual experience as an entomologist, or two years' training as an entomologist in the science department of some reputable college or university: *And provided further*, That such inspectors shall be paid not exceeding $10 per day and their necessary expenses, which compensation and expenses shall cover only the days of actual service. They shall be paid on duplicate itemized account against the State of Texas, properly signed and sworn to, approved by the commissioner of Agriculture, upon which the comptroller shall issue warrants upon the State Treasury in the usual way.

SEC. 17. It shall be the duty of the commissioner of agriculture of this State to cooperate with the Secretary of Agriculture of the United States in any measure authorized and to be undertaken by authority of the Federal Government in preventing the introduction of the pink bollworm into the United States through the State of Texas.

SEC. 18. It shall be the duty of any person or persons upon whose premises any pink bollworm shall appear, to report the presence of such cotton pest to the commissioner of agriculture of the State, and any failure, knowingly, on the part of any such person or persons to make such report promptly shall, upon conviction, subject such person or persons to a fine of not less than $100 for each offense and not more than $500, and any person or persons who may know of the presence of the pink bollworm in any locality in this State, and who shall fail to report the location of such pest to the commissioner of agriculture, shall, upon conviction, be subject to a like fine.

SEC. 19. For the purpose of carrying out the provisions of this act there is hereby appropriated out of any funds in the treasury not otherwise appropriated the sum of $100,000, $50,000 of which may be used in paying compensation and damages which may become due under the provisions of this act, and

the remaining $50,000 of which shall be used in the payment of the expenses incurred in the administration of this act, which shall include salaries, expenses, printing, postage, telegraph, telephone, express, etc., needed in the enforcement of this act.

SEC. 20. Any person or persons who may transport any cotton or cotton products by any means from any territory in this State which has been quarantined and placed under restrictions by proclamation of the governor of the State in accordance with the authority conferred by the terms of this act or of any proclamation, or any rule, regulation, or other restriction authorized by this act; or any person or persons who shall plant, cultivate, grow, gather, transport, or market cotton in or from any territory in this State that has been quarantined and declared a noncotton zone and placed under restrictions by any of the proclamations or restrictions authorized by this act; or any person or persons who shall plant and grow cotton in any regulated zone or quarantined district or any part thereof in which cotton is permitted to be grown under rules and regulations promulgated by the Commissioner of Agriculture, and who shall fail to comply with any of the said rules and regulations so promulgated for the control and direction of cotton growing and marketing in such restricted zone; or who shall violate any proclamation, regulation, or restriction authorized by this act; or who shall willfully refuse or knowingly neglect to comply with any such proclamation, restriction, or regulation promulgated and maintained for the protection of the cotton industry against the menace of infestation by the pink bollworm, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in any sum not less than $100 and not more than $1,000, and each transaction of each product so shipped or transported, and each act in violation of the restrictions herein authorized governing the planting, growing, marketing, and cleaning the fields, shall constitute a separate offense.

SEC. 21. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 22. The importance of this legislation to the cotton industry of Texas, and to the public welfare creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days should be, and the same is hereby suspended, and that this act take effect from and after its passage, and it is so enacted.

Act approved June 19, 1920.

LOUISIANA PINK BOLLWORM ACT OF 1920.

[Act No. 72. House bill No. 182. By Mr. Parent.]

An act to protect the cotton-producing industry of Louisiana from the ravages of the Mexican pink bollworm; to create a commission for the purpose of enforcing the order of the commissioner of agriculture establishing noncotton zones and regulated zones; to appropriate $250,000 in 1920 and $250,000 in 1921 or so much thereof as may be necessary for the purposes of this act and to reimburse such farmers, tenants, and others as are deprived of a means of livelihood by the necessary execution of the orders of the commissioner of agriculture and the commission; and to define the powers and duties of the commission.

Whereas the cotton-producing industry of the State of Louisiana is threatened with disaster by the invasion of a new pest, the Mexican pink bollworm, whose ravages in other parts of the world are as destructive (or more so) as the ravages of the boll weevil in the opinion of the Federal and State entomologists; and

Whereas it has been deemed essential to the protection of the cotton-producing industry of Louisiana for the commissioner of agriculture of Louisiana to exercise the power vested in him by law to declare noncotton zones and regulated zones in the infested areas and in suspected areas in Cameron, Calcasieu, and Jefferson Davis Parishes, and certain other points in this State; and

Whereas the execution of these orders has and will impose a distressing hardship upon some 700 (more or less) farmers and others in the parish of Cameron who are thereby deprived of their only means of livelihood for the protection of the cotton-producing industry of the remainder of the State: Therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That there is hereby created the Pink Bollworm Commission of Louisiana, which shall be composed of:

The commissioner of agriculture of Louisiana, who shall be chairman; the director of extension of Louisiana, who shall be vice chairman; the dean of the Louisiana State Agricultural College; and two citizens of Louisiana identified with the cotton-producing industry, to be appointed by the governor of Louisiana, who shall serve on this commission until, in the opinion of a majority of the commission, the emergency shall have passed, or they are removed by death, resignation, or by the governor for failure to perform the duties incumbent on them, in event of which vacancies the governor shall fill same by appointment. No member of the commission shall draw any salary or emolument for such service, except traveling expenses and a per diem of $6 while in attendance on sessions of the commission, or performing some official duty ordered by the commission, which sums shall be paid on the warrant of the chairman, or, in his absence or incapacity, the vice chairman.

SEC. 2. *Be it further enacted by the General Assembly of the State of Louisiana,* That there is hereby appropriated out of the pink bollworm license tax fund, to carry out the purposes of this act, the sum of $250,000 for the fiscal year ending June 30, 1921, and $250,000 for the fiscal year ending June 30, 1922, or so much thereof as may be necessary, to be paid out on the warrant of the chairman, or in the event of his absence or incapacity, the vice chairman, on the approval of a majority of the commission. In the event that a special fund is created for the purposes of this act, the appropriations shall be limited to the amount raised in this special fund.

SEC. 3. *Be it further enacted by the General Assembly of the State of Louisiana,* That the Pink Bollworm Commission of Louisiana shall engage such clerical and other help as may be necessary, and shall investigate conditions in said parish of Cameron (or elsewhere when, in the judgment of the commission, it is necessary) and cause a survey to be made to determine the names of the farmers, tenants, or other persons whose property has been destroyed or damaged, or rendered unproductive, to protect the cotton industry of the remainder of the State, and to determine the amount of loss accruing to them, and shall adjust these claims equitably, and make payment to those persons at the earliest possible moment, so as to avert, as much as possible, unnecessary suffering and privation.

SEC. 4. *Be it further enacted by the General Assembly of the State of Louisiana,* That the Pink Bollworm Commission of Louisiana shall keep accurate records of its work and of the disbursements made, as to expenditures and reimbursements to sufferers, and shall make a full report to the governor annually, or more often if he should require it.

SEC. 5. *Be it further enacted by the General Assembly of the State of* Louisiana, That all laws or parts of laws in conflict with this act, be, and the same are hereby, repealed.

R. F. WALKER,
Speaker of the House of Representatives.
HEWITT BOUANCHAUD,
Lieutenant Governor and President of the Senate.

Approved July 6, 1920.

JNO. M. PARKER,
Governor of the State of Louisiana.

A true copy:
JAMES J. BAILEY
Secretary of State.

LOUISIANA ACT CREATING PINK BOLLWORM LICENSE TAX FUND.

[Act No. 138. House bill No. 380. By Mr. Parent. Substitute for House bill No. 332.]

AN ACT to impose an annual license tax upon the business of ginning cotton, crushing cotton seed, selling spot cotton on commission or for profit, selling or buying cotton future round contracts and cotton pickeries, so as to provide revenue for the protection of the cotton industry of Louisiana from pest ravages; to create the pink bollworm license tax fund out of the proceeds of this license tax; to define the several businesses to which this license tax applies and what comprises a cotton futures round contract; to provide for the method of collection and the date when it is collectible; and to provide for the disposition of any surplus arising in the fund.

Whereas, the cotton fields of Louisiana have been invaded by a new pest known as the Mexican pink bollworm, whose ravages are declared by scientific authorities to be as bad or worse than those of the boll weevil; and limiting the operations of this act to two years, and

Whereas it has been deemed necessary for the commissioner of agriculture to declare noncotton and regulated zones in certain areas in this State, so as to protect the remainder of the State from infestation and the possible annihilation of the cotton industry, and it has been and will continue to be the cause of great hardship to many persons who are thereby deprived of a means of livelihood and to whom the honor of the State has been pledged for a fair deal; and

Whereas it has been deemed necessary to create the Pink Bollworm Commission of Louisiana, and to appropriate $250,000 a year for two years to meet this situation, therefore:

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana,* That an annual license tax, due and collectible on September 1 of each year, is hereby imposed and levied upon the carrying on of the following businesses:

(*a*) The ginning of cotton, which business is conducted by persons, firms, or corporations, who receive the seed cotton from the producer and separate the lint from the seed, and put the lint up in bales of approximately 500 pounds each;

(*b*) The crushing of cotton seed, which business is conducted by persons, firms, or corporations at oil mills, who buy such seed by the the ton and manufacture various products therefrom;

(*c*) The selling of spot cotton, which business is conducted by cotton commission merchants (as persons, firms, or corporations) who sell cotton on a commission basis, or for profit;

(*d*) The selling or buying of cotton-future contracts, which business is conducted on exchanges by cotton-future brokers (persons, firms, or corporations), on a commission basis, either for themselves or acting as agents for others. A cotton-future round contract, for the purposes of this act, is hereby defined as being an agreement, contract, or other evidence of sale or purchase of every 100 bales or fraction thereof of cotton for future delivery, either purchased or sold through the agency of such broker.

(*e*) The cotton pickery business is that conducted by persons, firms, or corporations, in which soiled or damaged cotton is reginned, repicked, and rebaled, for which a charge is made.

SEC. 2. *Be it further enacted by the General Assembly of the State of Louisiana*, That the annual license tax hereby imposed and levied is to be levied on the basis of the total number of transactions during the 12 months preceding August 1 of the year, and graduated for each business in the following manner:

(*a*) On the ginning of cotton:

50 bales or less	$4.00
51 to 100 bales	8.00
101 to 150 bales	12.00

And 8 cents per bale for each bale over 150.

(*b*) On the crushing of cotton seed:

50 tons or less	12.50
51 to 100 tons	25.00
101 to 150 tons	37.50

And 25 cents per ton for each ton over 150.

(*c*) On the selling of spot cotton on commission or for profit:

50 bales or less	4.00
51 bales to 100 bales	8.00
101 bales to 150	12.00

And 8 cents per bale for each bale over 150.

(*d*) On the buying or selling of cotton-future round contracts:

50 round contracts or less	12.50
51 to 100 round contracts	25.00
101 to 150 round contracts	37.50

And 25 cents per round contract for each one over 150.

(*e*) On the cotton-pickery business:

50 bales or less	4.00
51 to 100 bales	8.00
101 to 150 bales	12.00

And 8 cents per bale for each bale over 150.

SEC. 3. *Be it further enacted by the General Assembly of the State of Louisiana*, That it shall be the duty of every such ginner, crusher, cotton merchant, future broker, and cotton pickery, to make annual returns of the total number of transactions within the purview of this act, for the 12 months preceding August 1, on the 1st day of September of each year, one copy to be given to the State tax collector in the parish in which his business is domiciled, at the time of the payment of the license tax herein provided; one copy to be forwarded to the treasurer of the State of Louisiana in Baton Rouge; and one copy to be forwarded to the supervisor of public accounts in Baton Rouge, who is hereby authorized to traverse the books of any business herein defined for the purpose of verifying such statement. They are allowed 10 days of grace after September 1, in which to make both written returns and cash payment, and failing in which they shall become delinquent, and subject to the penalties for delinquency as provided in the general license law.

SEC. 4. *Be it further enacted by the General Assembly of the State of Louisiana*, That if any such ginner, crusher, cotton merchant, future broker, or cotton pickery, desires to take out a license for a six months' period instead of one year, that privilege is hereby granted, and such six months' license shall be based upon the number of transactions for the six months preceding August 1, and be due and collectible on September 1, as provided in sections 2 and 3 of this act. The license for the succeeding six months' period shall be based upon the transactions from August 1 to February 1, and shall be due and collectible on March 1, under the provisions of sections 2 and 3 of this act.

SEC. 5. *Be it further enacted by the General Assembly of the State of Louisiana*, That all State tax collectors shall open a separate account in which to record the collections of the license taxes herein provided, to be known as the pink bollworm license tax fund, and shall make separate return of such moneys to the treasurer of the State of Louisiana; that the treasurer of the State of Louisiana shall keep the proceeds of these license taxes separately in a fund to be known as the pink bollworm license tax fund, to be paid out as provided in the act creating the Pink Bollworm Commission of Louisiana.

SEC. 6. *Be it further enacted by the General Assembly of the State of Louisiana*, That when in the opinion of the Pink Bollworm Commission of Louisiana, as expressed by a majority vote of said commission, and approved by the governor, any moneys in this fund not required for the purposes of the said commission shall be transferred to the general fund by the treasurer of the State of Louisiana: *Provided*, That the licenses imposed by this act shall be collected for two full years only.

SEC. 7. *Be it further enacted by the General Assembly of the State of Louisiana*, That this act shall take effect and be in full force immediately after its passage.

SEC. 8. *Be it further enacted by the General Assembly of the State of Louisiana*, That all laws or parts of laws in conflict with this act be, and the same are hereby, repealed.

R. F. WALKER,
Speaker of the House of Representatives.
HEWITT BOUANCHAUD,
Lieutenant Governor and President of the Senate.

Approved July 7, 1920.

JNO. M. PARKER,
Governor of the State of Louisiana.

A true copy:
JAMES J. BAILEY,
Secretary of State.

NOTICE OF PINK BOLLWORM CONFERENCE.

WASHINGTON, D. C., *June 30, 1920.*

Notice of an important cotton conference to be held at the United States Department of Agriculture here Wednesday, July 14, 1920, at 10 o'clock, to discuss various questions arising from Federal control measures against the pink bollworm was issued by the Federal Horticultural Board of the department here to-day. Quarantine officials of all States particularly interested, together with such other persons or interests as may wish to be represented, are requested to attend.

The basis for the Federal quarantine has already been established by the public hearing held here April 6 and 7. The purpose of this conference is to consider what quarantine and other control action may be necessary on the part of the Federal Government in view of the changed situation in Texas as

a result of the new pink bollworm law enacted by the special session of the State legislature and in view of the legislation which has been promised and which undoubtedly will be enacted shortly by the legislature of Louisiana now in session. An important object of the conference will be to harmonize quarantine action, both Federal and State, and also to limit such action to the necessities of the situation.

FEDERAL QUARANTINE ON ACCOUNT OF THE PINK BOLLWORM NOTICE OF QUARANTINE NO. 46.

(Effective on and after August 1, 1920.)

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that an injurious insect, the pink bollworm (*Pectinophora gossypiella* Saunders), new to and not heretofore widely prevalent or distributed within and throughout the United States, exists in the States of Texas and Louisiana.

Now, therefore, I, E. D. Ball, Acting Secretary of Agriculture, under authority conferred by section 8 of the plant quarantine act of August 20, 1912 (37 Stat., 315), as amended by the act of Congress approved March 4, 1917 (39 Stat., 1134, 1165), do hereby quarantine the States of Texas and Louisiana, and by this notice of Quarantine No. 46, do order that cotton, including all parts of the plant, seed cotton, cotton lint, linters, gin waste, and all other forms of cotton lint, cottonseed, cottonseed hulls, cottonseed cake and meal, bagging and other containers of the articles enumerated, and also railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products grown in the infested districts or which are fouled with such products, hay and other farm products, farm household goods and farm equipment, shall not be moved or allowed to be moved interstate from the said quarantined States in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made and amendments thereto: *Provided*, That the restrictions of this quarantine and the rules and regulations supplemental thereto may be limited to the areas in a quarantined State now or hereafter designated by the Secretary of Agriculture as infested areas and regulated areas when said State shall have provided for and enforced such control measures with respect to such designated areas as in the judgment of the Secretary of Agriculture shall be deemed adequate to effect the control and prevent the spread of the pink bollworm.[1]

Done in the District of Columbia this 21st day of July, 1920.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.]

E. D. BALL,
Acting Secretary of Agriculture.

RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 46.

REGULATION 1.—DEFINITIONS.

For the purposes of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(*a*) Cotton and other articles: Cotton, including all parts of the plant, seed cotton, cotton lint, linters, gin waste and all other forms of cotton lint, cotton seed, cottonseed hulls, cottonseed cake and meal, bagging and other containers of the articles enumerated, and also railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products grown in the

[1] See Appendix.

infested districts or which are fouled with such products, hay and other farm products, farm household goods and farm equipment.

(*b*) Pink bollworm: The insect known as the pink bollworm of cotton (*Pectinophora gossypiella* Saunders).

(*c*) Quarantined area: Any State, or any portion thereof, quarantined by the Secretary of Agriculture upon determination by him that the pink bollworm exists therein.

(*d*) Infested area: Those portions of any quarantined area which are determined by the Secretary of Agriculture to be infested with the pink bollworm.

(*e*) Regulated area: Those portions of any quarantined area in which the growth of cotton is permitted under the restriction that the crop shall be under the full control of the State authorities in cooperation with the United States Department of Agriculture for the purpose of enforcing any safeguards that shall be determined to be necessary with respect to the disposition and movement of the crop.

(*f*) Inspector: An inspector of the United States Department of Agriculture.

REGULATION 2.—COTTON AND OTHER ARTICLES SUBJECT TO RESTRICTION.

The restrictions on the movement of cotton and other articles covered in this Notice of Quarantine No. 46 and in the rules and regulations supplemental thereto shall apply to all products and articles enumerated in the notice of quarantine originating in or moving from the areas in the quarantined States now or hereafter designated by the Secretary of Agriculture as infested or regulated areas.

No restrictions are placed by this quarantine and the regulations supplemental thereto on the interstate movement of the articles enumerated therein from all points in the quarantined States outside of the areas now or hereafter designated by the Secretary of Agriculture as infested or regulated areas.

REGULATION 3.—INFESTED AREAS.

The following districts in Texas and Louisiana are designated as infested areas:

TEXAS: All of the counties of Orange, Jefferson, Chambers, and Galveston and the portions of Brazoria, Fort Bend, Harris, Liberty, Newton, Jasper, and Hardin Counties, included within a line extending from the mouth of Chocolate Bayou northward along the bayou to the bridge where the Elby Knappe Road crosses the bayou south of Alvin near the S. T. Angier survey; thence in a westerly direction to Sandy Point on the International & Great Northern Railway; thence west to the Brazos River; thence north along the Brazos River to the Gulf, Colorado & Santa Fe Railway bridge west of Arcola; thence in a northeasterly direction to the intersection of the Fort Bend, Brazoria, and Harris County lines south of Almeda; thence along Clear Creek to the Santa Fe crossing north of Pearland; thence in a northwesterly direction to Lynchburg; thence northward along the San Jacinto River to the Gulf Coast Railway; thence northwesterly along the Gulf Coast Railway to the Harris-Liberty County line; thence along the Liberty and Harris County line to Luce Bayou on the Ed. King survey; thence along Luce Bayou in a northeasterly direction to the northeast corner of the Thomas Garrett survey; thence in a northerly direction along the east side of the Hugh Means survey and the J. R. Fault survey to the southwest corner of the Manuel de los Santos Coy survey; thence east along the south line of the Santos Coy survey to the Hardin County line; thence southeast along the Hardin and Liberty County line, following that line to the east line of Liberty County; thence northeastward to the town of Kountze; thence northwestward along the Texas & New Orleans Railway to the south line of Tyler County; thence due east along the south line of Tyler County and

continuing due east across Jasper and Newton Counties to the Sabine River; thence southward along the Sabine River to its mouth.

All of the counties of Presidio and Brewster.

LOUISIANA: Parishes of Cameron, Calcasieu, and Jeff Davis.

REGULATION 4.—REGULATED AREAS.

The following districts in Texas and Louisiana are designated as regulated areas:

TEXAS: All of that area within a circle made by a radius of 3 miles, using the Planters oil mill at Hearne, Tex., as a center.

All of the counties of Maverick, Kinney, and Val Verde.

All of the counties of Ward and Reeves.

All of the county of El Paso.

LOUISIANA: An area including a radius of 10 miles around each of the following points: Eunice, Broussard, Alexandria, Shreveport, and Gretna, except that in the case of Gretna, that area east of the Mississippi River is excluded.

REGULATION 5.—EXTENSION OR REDUCTION OF INFESTED AND REGULATED AREAS.

The infested areas and regulated areas designated in regulations 3 and 4 may be extended or reduced as may be found advisable by the Secretary of Agriculture. Due notice of any extension or reduction and the areas affected thereby will be given in writing to the transportation companies doing business in or through the State in which these areas are located and by publication in newspapers selected by the Secretary of Agriculture within the States in which the areas affected are located.

REGULATION 6.—CONTROL OF COTTON AND OTHER ARTICLES.

The interstate movement of seed cotton, cotton seed, and the stalk and other parts of the cotton plant is prohibited.

The interstate movement of cotton lint, linters, gin waste, and all other forms of cotton lint, hulls, cake, meal, and bagging and other containers which have been used in connection with such articles, and also railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products grown in the infested districts or which are fouled with such products, hay and other farm products, farm household goods and farm equipment, will be allowed only under permit issued by the Secretary of Agriculture and upon compliance with conditions to be prescribed in such permit: *Provided*, That cotton lint, linters, gin waste and all other forms of cotton lint, may move interstate only from ports designated in the permit and by all-water route to New York, Boston, or other port of arrival also designated in the permit. At the designated port of arrival the products enumerated shall be disinfected and subsequently controlled as is required of cotton imported from foreign countries (see Rules and Regulations Governing the Importation of Cotton into the United States effective August 1, 1917).

REGULATION 7.—INSPECTION AND CERTIFICATION.

Cotton and other articles, the interstate movement of which is permitted under regulation 6, shall not be moved or allowed to be moved interstate until such products have been inspected and certified by the United States Department of Agriculture.

REGULATION 8.—MARKING AND CERTIFICATION.

Cotton and other articles the interstate movement of which is permitted under Regulation 6 shall be subject to such marking and labeling as may be required by the inspector of the United States Department of Agriculture. Copies of the permit required by Regulation 6 must be attached to the waybills, conductors' manifests, memoranda, or bills of lading covering such shpiments. In the case of lint, linters, and bagging or other containers, the bales or other parcels

of such materials shall be plainly marked with the name and address of the shipper and the name and address of the consignee. Containers of cottonseed hulls, cake, and meal will not be required to be marked, but copies of the permit must be attached to the waybills, conductors' manifests, memoranda, or bills of lading covering such shipments.

REGULATION 9.—CONDITIONS UNDER WHICH COTTON AND OTHER ARTICLES ORIGINATING OUTSIDE OF THE INFESTED AND REGULATED AREAS MAY BE SHIPPED FROM POINTS WITHIN INFESTED AND REGULATED AREAS.

Cotton and other articles of which the interstate movement is restricted by these regulations and which originate outside of the infested and regulated areas quarantined on account of the pink bollworm of cotton may be shipped interstate from points within the infested and regulated areas to points outside of such areas under permit from the Secretary of Agriculture. Transportation companies shall not accept or move interstate from within the infested and regulated areas such articles originating outside of the infested and regulated areas unless each shipment is accompanied by a permit issued by the United States Department of Agriculture.

REGULATION 10.—CONDITIONS GOVERNING INSPECTION AND ISSUANCE OF CERTIFICATES AND PERMITS.

Persons intending to move or allow to be moved cotton or other articles for which certificates of inspection or permits are required by these regulations will make application therefor as far as possible in advance of the probable date of shipment. Applications should show the nature and quantity of the articles which it is proposed to move, together with their exact location and, if practicable, the contemplated date of shipment. All charges for storage, cartage, and labor incident to inspection, other than the services of inspectors, shall be paid by the shipper. Applications for inspection and issuance of certificates and permits must contain the names and addresses of the consignors and consignees and should be made to the Office of the Federal Horticultural Board, Carter Building, Houston, Tex., or to such other offices as may be later established, and of which due notice shall have been given.

REGULATION 11.—CLEANING OF RAILWAY CARS, BOATS, AND OTHER VEHICLES AND MATERIALS REQUIRED BEFORE MOVING INTERSTATE.

Railway cars, boats, and other vehicles, hay and other farm products, farm household goods and farm equipment, covered by these regulations, or any other articles which may hereafter be made subject thereto, and originating within the quarantined and regulated areas, shall not be moved or allowed to move interstate unless the same shall have been thoroughly cleaned or disinfected at the point of origin or shipment to the satisfaction of the inspector of the United States Department of Agriculture.

REGULATION 12.—SHIPMENT BY THE UNITED STATES DEPARTMENT OF AGRICULTURE.

This quarantine shall not apply to the movement by the United States Department of Agriculture of cotton and other articles specified therein when intended for experimental or scientific purposes.

The above rules and regulations are hereby adopted, effective on and after August 1, 1920, and shall be in force until further notice.

[SEAL.] E. D. BALL,
Acting Secretary of Agriculture.

JULY 21, 1920.

Appendix.

STATE CONTROL OF COTTON AND OTHER ARTICLES IN COOPERATION WITH FEDERAL AUTHORITIES.

Internal control by the State, in cooperation with Federal authorities, of cotton and other articles, set forth in the following paragraphs, will be required under the proviso to Quarantine No. 46 as a condition of limiting, by the Secretary of Agriculture, the restrictions of the rules and regulations under that quarantine to the areas designated as infested or regulated. These conditions are subject to such modification by the Secretary of Agriculture from time to time as may be determined to be necessary.

The growing crop.—The growing crop shall be under the full control of State authorities in cooperation with the Federal authorities—such control to include authority to inspect the fields as often as may be deemed necessary and to require the prompt destruction of any cotton in fields which shall be determined as infested with the pink bollworm.

Cotton seed.—All cotton seed grown in the regulated areas shall be under the full control of the State authorities in cooperation with the Federal authorities. This control shall forbid its use for planting and shall provide for its prompt milling when possible within the regulated or infested areas, and it shall not move out of such areas for milling except in case of necessity and then under such regulations and safeguards as shall be authorized by the State authorities in cooperation with the Federal authorities.

Cottonseed hulls.—All cottonseed hulls shall be disinfected at the mills as a continuing part of the process of hulling and milling of the seed in such manner and by such means as shall be required by the proper officials of the State concerned in cooperation with the Federal authorities.

Cotton lint, linters, gin waste, and all other forms of cotton lint.—All lint, linters, gin waste, and all other forms of cotton lint produced in regulated areas shall be under the full control of the State authorities in cooperation with the Federal authorities. Such control shall provide for its movement for the purpose of export under safeguards through ports in the States concerned designated in the permits authorizing shipment. The following ports are designated for Texas: Galveston, Houston, Texas City, and Port Arthur. The following port is designated for Louisiana: New Orleans.[2]

Conveyors, household goods, farm products, etc.—Railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products grown in the infested districts or which are fouled with such products, hay and other farm products, farm household goods, and farm equipment, shall, as a condition of intrastate movement, be subject to such inspection, cleaning, and disinfection as shall be deemed necessary to prevent the spread by such means and agencies of the pink bollworm.

Cotton in noncotton zones.—All volunteer or other cotton growing in a noncotton zone shall be promptly destroyed.

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[2] The only interstate movement that will be permitted under the Federal quarantine will be from the ports designated in the permit and by all-water route to New York, Boston, or other designated port of arrival. At such port of arrival such disinfection and subsequent control will be required and enforced as now apply with respect to cotton imported from foreign countries.

HAWAIIAN AND PORTO RICAN COTTON, COTTON SEED, AND COTTONSEED PRODUCTS.

In the latter part of 1919 a request came to the Federal Horticultural Board for a permit for the entry into the United States from Porto Rico of a considerable quantity of cotton seed for milling at oil mills in the Southern States. Hitherto there had been little or no movement of such seed from Porto Rico to the mainland owing to the fact that this seed under the Spanish régime and later had found its market in Europe. At that time there was no quarantine under which the proposed shipment of seed from Porto Rico to the mainland could have been prevented, but on the request of this board the shipment was withheld until an examination of the cotton situation of the island with respect to plant diseases and insect pests could be made. An investigation which has since been carried out under the direction of this board has shown that there are adequate reasons which indicate the undesirability of permitting raw cotton seed or cotton lint containing seed coming to the United States from Porto Rico. Important among these reasons is the existence in Porto Rico, as well as in most of the West Indies, of a cotton blister mite (*Eriophyes gossypii* Banks), which has been the occasion of a good deal of loss to the cotton crop of these islands. This mite is not known to occur in the United States, and its entry into our cotton-producing States would amount to a new tax on cotton production. It is, therefore, for the particular purpose of excluding this mite that a quarantine has been issued against Porto Rican cotton, cotton seed, and cottonseed products. It is known, however, that there is also in Porto Rico a cotton-boll disease, which may be even more dangerous to the cotton crop of this country than the blister mite and which might also gain entrance through the importation of cotton seed. The enforcement of this quarantine will make it necessary for the cotton seed produced in the island either to be exported to foreign countries or else to be milled or otherwise utilized on the island.

To avoid the multiplicity of quarantines the similar quarantines (Nos. 9 and 23 revised) already issued with respect to Hawaiian cotton have been incorporated in Quarantine No. 47 so that the movement of all cotton and cottonseed products from Hawaii and Porto Rico will be governed by one order and series of regulations.

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF PROHIBITING THE IMPORTATION OF COTTON SEED AND SEED COTTON AND OF RESTRICTING THE IMPORTATION OF COTTON LINT FROM THE TERRITORY OF PORTO RICO.

MAY 25, 1920.

The Secretary of Agriculture has information that the cotton blister mite (*Eriophyes gossypii* Banks), a dangerous insect new to and not heretofore widely prevalent or distributed within and throughout the United States, occurs in the Territory of Porto Rico.

It appears necessary, therefore, to consider the advisability of quarantining the Territory of Porto Rico in accordance with the plant quarantine act of August 20, 1912 (37 Stat., 315), as amended by the act of Congress approved March 4, 1917 (39 Stat., 1134, 1165), and of prohibiting the movement of cotton seed and seed cotton and of restricting the movement of cotton lint from that Territory to the mainland.

Notice is, therefore, hereby given that a public hearing will be held at the Department of Agriculture, Washington, D. C., room 11, Federal Horticultural Board, at 10 o'clock a. m., June 29, 1920, in order that any person interested in the proposed quarantine may appear and be heard either in person or by attorney.

MAY BAR PORTO RICAN COTTON SEED AND SEED COTTON.

WASHINGTON, D. C., *May 31.*

Announcement of a public hearing to be held June 29, to consider the advisability of prohibiting the importation of cotton seed and seed cotton from Porto Rico, because of the prevalence of the cotton blister mite there, was made by the Department of Agriculture here to-day. The question of restricting the importation of cotton lint from the Territory, for the same reason, will be considered also.

The hearing will be held at the Department of Agriculture, Washington, D. C., room 11, Federal Horticultural Board, at 10 o'clock a. m., June 29. Any person interested in the proposed quarantine may appear and be heard, either in person or by attorney.

Cotton blister mite is a dangerous insect not known to occur within the United States. Information, however, has come to the department that the insect is now present in Porto Rico. Officials are apprehensive, therefore, that it may find its way into the United States and menace the cotton crop here. Additional grounds for the quarantine exist in the fact that a cotton boll disease is also present in Porto Rico at this time, which might be introduced into the United States and prove even more dangerous.

The enforcement of the proposed quarantine will make it necessary for the seed produced in the island either to be exported to foreign countries or to be milled or otherwise utilized there. It is not purposed under the quarantine to prevent the importation of ginned cotton and cottonseed cake, meal, and oil from the island under proper safeguards.

QUARANTINE AGAINST HAWAIIAN AND PORTO RICAN COTTON, COTTON SEED, AND COTTONSEED PRODUCTS.

INTRODUCTORY NOTE.

Quarantine No. 47, with regulations, effective on and after August 15, 1920, supersedes and brings into one document all Federal quarantine restrictions on Hawaiian and Porto Rican cotton, cotton seed, and cottonseed products.

The older quarantines which Quarantine No. 47 supersedes are those in relation to Hawaii, namely, Quarantine No. 9, promulgated June 24, 1913, which prohibits the movement of cotton seed and cottonseed hulls from the Territory of Hawaii into or through any other Territory, State, or District of the United States; Quarantine No. 23 (revised), with regulations, promulgated February 11, 1916, which regulates the movement of cotton from the Territory of Hawaii into or through any other Territory, State, or District of the United States.

The regulations under Quarantine No. 47 provide for the entry of all forms of Hawaiian and Porto Rican cotton lint, cottonseed cake, meal, and other cottonseed products, except oil, at the ports of New York, Boston, San Francisco, and Seattle, and such other ports of arrival as may be designated in the permit. As a condition of entry, cotton lint must comply with the "Rules and Regulations Governing the Importation of Cotton into the United States, Effective August 1, 1917." Similarly cottonseed cake, meal, and other cottonseed products, except oil, for entry under Quarantine No. 47 must comply with the "Rules and Regulations Governing the Importation of Cottonseed Cake, Meal, and Other Cottonseed Products into the United States, Effective July 16, 1917."

The interstate movement of Hawaiian and Porto Rican seed or unginned cotton, cotton seed, and cottonseed hulls is prohibited. No restrictions are placed on the movement of cottonseed oil.

C. L. MARLATT,
Chairman Federal Horticultural Board.

Notice of Quarantine No. 47, with Regulations.

[Effective on and after Aug. 15, 1920. Supersedes Notices of Quarantine No. 9 and No. 23, Revised.]

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that two injurious insects, known as the pink bollworm of cotton (*Pectinophora gossypiella* Saunders) and the cotton blister mite (*Eriophyes gossypii* Banks), new to and not heretofore widely prevalent or distributed within and throughout the United States, exist in the Territories of Hawaii and Porto Rico, respectively.

Now, therefore, I, E. T. Meredith, Secretary of Agriculture, under authority conferred by section 8 of the plant quarantine act of August 20, 1912 (37 Stat., 315) as amended by the act of Congress approved March 4, 1917 (39 Stat., 1134, 1165), do hereby quarantine the Territories of Hawaii and Porto Rico as infested by the pink bollworm and the cotton blister mite, respectively, and, by this Notice of Quarantine No. 47, do order that no cotton, seed or unginned cotton, cotton seed, cottonseed hulls, cake, meal, or other cottonseed products, except oil, shall be moved from the Territories of Hawaii and Porto Rico into or through any other Territory, State, or District of the United States, except for experimental or scientific purposes by the United States Department of Agriculture, in manner or method or under conditions other than those prescribed in the rules and regulations supplemental hereto.

Done in the District of Columbia this 31st day of July, 1920.

Witness my hand and the seal of the United States Department of Agriculture.

[Seal.] E. T. Meredith,
Secretary of Agriculture.

RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 47.

Regulation 1.—Definitions.

For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(*a*) Cotton: Raw or unmanufactured ginned cotton, either baled or unbaled, including all ginned cotton which has not been woven or spun or otherwise manufactured, such as all forms of cotton waste, including thread waste, card strips, willowed fly, willowed picker, picker or blowings, and chum and cotton waste in any other form or under any other trade designation.

(*b*) Seed or unginned cotton: Cotton as picked from the fields, i. e., prior to being ginned.

(*c*) Cottonseed products: Cottonseed cake, meal, and other cottonseed products, except oil.

Regulation 2.—Control of cotton, cotton seed, and cottonseed products.

The interstate movement of seed cotton, cotton seed, and cottonseed hulls from the Territories of Hawaii and Porto Rico into or through any other Territory, State, or District of the United States is prohibited.

The interstate movement of cotton, cottonseed cake, meal, and other cottonseed products, except oil, from the Territories of Hawaii and Porto Rico into or through any other Territory, State, or District of the United States will be allowed only under permit issued by the Secretary of Agriculture. Hawaiian and Porto Rican cotton will be allowed to enter only by all-water route, and at the ports of New York, Boston, San Francisco, and Seattle, or other port of arrival designated in the permit, and at such designated port of arrival shall be disinfected and subsequently controlled as is required of cotton imported from foreign countries. (See rules and regulations governing the importation of cotton into the United States effective Aug. 1, 1917.)

Hawaiian and Porto Rican cottonseed cake, meal, and other cottonseed products, except oil, will be permitted to enter only at the ports of New York, Boston, San Francisco, and Seattle, or other port of arrival designated in the permit and under the conditions applying to the same articles imported from foreign countries. (See rules and regulations governing the importation of cottonseed, cottonseed cake, meal, and other cottonseed products into the United States, effective July 16, 1917.)

In the case of shipments of either cotton or cottonseed products from the Territories of Hawaii and Porto Rico into or through any other Territory, State, or District of the United States, the permits and notifications will be handled by the inspectors of the Department of Agriculture at the designated port of arrival without the cooperation of the customs service which is a necessary requirement in the case of cotton and cottonseed products imported from foreign countries.

These rules and regulations shall be in force until further notice.

Done in the District of Columbia this 31st day of July, 1920.

Witness my hand and the seal of the United States Department of Agriculture.

E. T. MEREDITH,
[SEAL.] *Secretary of Agriculture.*

PENALTIES.

The plant quarantine act of August 20, 1912 (37 Stat., 315), provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

REVISION OF GIPSY MOTH AND BROWN-TAIL MOTH QUARANTINE.

In the annual revision of this quarantine it was deemed desirable this year to have the quarantine cover the entire States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, limiting, however, the restrictions on the movement of the products covered to the territory designated as actually invaded, paralleling in this respect the quarantine on account of the European corn borer. This will make it possible, as long as these two insects are confined to the New England States, to include at any time during the year newly infested territory without the necessity of conducting a public hearing before revising the quarantine. During the past year the gipsy moth extended its range considerably, especially westward, due to favorable winds. The brown-tail moth infested area, on the other hand, had decreased, and it was found possible to materially reduce the territory quarantined on account of this insect. The decrease was due to the heavy mortality in the brown-tail webs during winter, the work of introduced parasites, direct field work against the pest, and the work of the brown-tail fungus.

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF QUARANTINING THE STATES OF MAINE, NEW HAMPSHIRE, VERMONT, MASSACHUSETTS, RHODE ISLAND, AND CONNECTICUT ON ACCOUNT OF THE GIPSY MOTH AND THE BROWN-TAIL MOTH.

MAY 1, 1920.

The Secretary of Agriculture has information that the gipsy moth (*Porthetria dispar*) and the brown-tail moth (*Euproctis chrysorrhoea*), two dangerous insects not heretofore widely prevalent or distributed within and throughout

the United States, exist at various points in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

It appears necessary, therefore, to consider the advisability of extending the quarantine now in force on account of these two insects and to quarantine the States above named in accordance with the plant quarantine act of August 20, 1912 (37 Stat., 315), as amended by the act of Congress approved March 4, 1917 (39 Stat., 1134, 1165) and of restricting the movement from these States, or from any infested districts determined therein, into other States and Territories of (1) coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arbor vitae (white cedar), known and described as "Christmas trees," and parts thereof, and decorative plants, such as holly and laurel, known and described as "Christmas greens or greenery"; (2) forest plant products, including logs, tan bark, posts, poles, railroad ties, cord wood, and lumber; (3) field grown florists' stock, trees, shrubs, vines, cuttings, and other plants and plant products, except fruit pits, seeds of fruits and ornamental trees and shrubs, field, vegetable, and flower seeds, bedding plants, and other herbaceous plant and roots; and (4) stone or quarry products.

Notice is therefore hereby given that a public hearing will be held at the Department of Agriculture, Washington, D. C., room 11, Federal Horticultural Board, at 10 o'clock a. m., on May 7, 1920, in order that any person interested in the proposed quarantine may appear and be heard, either in person or by attorney.

MAY QUARANTINE NEW ENGLAND AGAINST MOTHS.

WASHINGTON, D. C., *May 1, 1920.*

Restrictions upon the movement of all forest and quarry products by a quarantine of the New England States to prevent the spread of gipsy and brown-tail moths will be considered at a hearing to be held by the Federal Horticultural Board, United States Department of Agriculture, here May 7. All persons interested in the proposed action by the department will be given an opportunity of testifying before the board either in person or by attorney.

This hearing is for the purpose of considering the extension of this quarantine to cover the spread which has been made, notably by the gipsy moth, during the past year, and the proposed extension is a counterpart of similar extensions which have been made practically every year since this quarantine was first enforced in 1912.

The spread of the gipsy moth in 1919 was unusual. Such spread was due to exceptionally favoring conditions. During the summer of 1919 the insect developed some very heavy infestations, and due to strong winds at the time of the hatching of the larvæ, these young larvæ were dislodged from the trees and carried by the winds long distances. Similar favorable conditions for wind-spread have not existed for years and there is little doubt that the principal spread of the insect during the past year is to be thus explained. In most of the newly invaded towns the infestation is very light, often limited to a single egg cluster, which further confirms the theory of a wide but very scattered spread by the agency of winds.

Action by the department contemplates restrictions upon the movement of the following articles from the affected States to other parts of the country:

Coniferous trees, such as spruce, fir, hemlock, pine, juniper, and white cedar; decorative plants, such as holly and laurel; forest plant products, including logs, tan bark, posts, poles, railroad ties, cord wood, and lumber; field-grown florists' stock, trees, shrubs, vines, cuttings, and other plants and plant products, except fruit pits, seeds of fruit and ornamental trees and shrubs, field, vegetable,

and flower seeds, bedding plants and other herbaceous plants and roots; and stone or quarry products.

Reports to the department show that during the summer of 1919, in addition to the territory now under quarantine, 46 towns in Maine, 45 in New Hampshire, 23 in Vermont, 14 in Massachusetts, and 3 in Connecticut have been found to be infested by the insects. These towns are:

Maine.—Winter Harbor, Gouldsborough, Sullivan, Hancock, Otis, Mariaville, Waltham, East Brook, Aurora, Amherst, Clifton, Eddington, Holden, Brewer, Bradley, Plantation 32, Plantation 33, Greenfield, Milford, Oldtown, Orono, Veazie, Glenburn, Greenbush, Argyle, Hudson, Bradford, Charleston, Atkinson, Garland, Dexter, Athens, Solon, Bingham, Embden, New Portland, Freeman, Salem, Strong, Temple, Avon, Phillips, Carthage, Perkins, Weld, and Roxbury.

New Hampshire.—Berlin, Gorham, Shelburne, Bean's Purchase, Harts' Location, Piermont, Orford, Wentworth, Lyme, Hanover, Livermore, Lincoln, Bethlehem, Littleton, Franconia, Lisbon, Lyman, Monroe, Bath, Landaff, Easton, Haverhill, Benton, Woodstock, Thornton, Ellsworth, Warren, Lebanon, Plainfield, Cornish, Claremont, Unity, Charlestown, Langdon, Acworth, Marlow, Alstead, Gilsum, Surry, Walpole, Westmoreland, Chesterfield, Swanzey, Winchester, and Hinsdale.

Vermont.—Barnet, Ryegate, Newbury, Bradford, Corinth, Fairlee, Thetford, Norwich, Sharon, Hartford, Townshend, Hartland, Woodstock, Windsor, Weathersfield, Springfield, Chester, Grafton, Rockingham, Westminster, Athens, Brookline, and Putney.

Massachusetts.—Gill, Erving, Wendell, New Salem, Prescott, Greenwich, Dana, Ware, Warren, Palmer, Brimfield, Holland, Wales, and Monson.

Connecticut.—Preston, Norwich, and Bozrah.

QUARANTINE ON ACCOUNT OF GIPSY MOTH AND BROWN-TAIL MOTH.

Notice of Quarantine No. 45.

[Effective on and after July 1, 1920. Supersedes Notice of Quarantine No. 33, Revised.]

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that two injurious insects—the gipsy moth (*Porthetria dispar*) and the brown-tail moth (*Euproctis chrysorrhoea*)—not heretofore widely distributed within and throughout the United States, exist in parts of the following States, to wit: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

Now, therefore, I, C. F. Marvin, Acting Secretary of Agriculture, under the authority conferred by section 8 of the plant quarantine act of August 20, 1912 (37 Stat., 315), as amended by the act of Congress approved March 4, 1917 (39 Stat., 1134, 1165), do hereby quarantine the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, and by this Notice of Quarantine No. 45, do order that (1) coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arbor-vitæ (white cedar), known and described as "Christmas trees," and parts thereof, and decorative plants, such as holly and laurel, known and described as "Christmas greens or greenery;" (2) forest-plant products, including logs, tanbark, posts, poles, car stakes, railroad ties, cordwood, and lumber; (3) field-grown florists' stock, trees, shrubs, vines, cuttings, and other plants and plant products, excepting fruit pits, seeds of fruit and ornamental trees and shrubs, field, vegetable, and flower seeds, bedding plants, and other herbaceous plants and roots; and (4) stone or quarry products, shall not be moved or allowed to move interstate from any of said States in

manner or method or under conditions other than those prescribed in the rules and regulatins supplemental hereto.

Done in the District of Columbia this twenty-eighth day of May, 1920.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] C. F. MARVIN,
Acting Secretary of Agriculture.

RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 45.

REGULATION 1.—DEFINITIONS.

For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(*a*) Gipsy moth: The insect known as the gipsy moth (*Porthetria dispar*).

(*b*) Brown-tail moth: The insect known as the brown-tail moth (*Euproctis chrysorrhoea*).

(*c*) Quarantined area: Any State, or any portion thereof, quarantined by the Secretary of Agriculture upon determination by him that either the gipsy moth or the brown-tail moth, or both, exist therein.

(*d*) Infested area: Those portions of any quarantined area which are determined by the Secretary of Agriculture to be infested with either the gipsy moth or the brown-tail moth, or both.

(*e*) Inspector: An inspector of the United States Department of Agriculture.

REGULATION 2.—PLANTS AND PLANT PRODUCTS AND STONE OR QUARRY PRODUCTS SUBJECT TO RESTRICTION.

The restriction on the movement of plants and plant products and stone or quarry products covered in this Notice of Quarantine No. 45 and in the rules and regulations supplemental thereto shall apply to all products enumerated in the notice of quarantine originating in or moving from the areas in the quarantined States now, or which may hereafter be, designated by the Secretary of Agriculture as infested areas.

No restrictions are placed by this quarantine and the regulations supplemental thereto on the interstate movement of the articles enumerated therein from all points in the quarantined States outside of the areas now, or which may hereafter be, designated by the Secretary of Agriculture as infested areas.

REGULATION 3.—INFESTED AREAS.

The following towns and all the territory between said towns and the Atlantic Ocean are designated as gipsy moth infested area:

Gouldsborough, Sullivan, Hancock, City of Ellsworth, Mariaville, Waltham, East Brook, Amherst, Aurora, Plantation No. 33, Greenfield, Greenbush, Argyle, City of Oldtown, Hudson, Bradford, Charleston, Atkinson, Garland, Dexter, Corrina, St. Albans, Hartland, Athens, Solon, Bingham, Embden, New Portland, Freeman, Salem, Phillips, Weld, Roxbury, Andover, Newry, and Riley, *Maine;* Shelburne, Berlin, Gorham, Bean's Purchase, Jackson, Bartlett, Hart's Location, Bethlehem, Littleton, and Monroe, *New Hampshire;* Barnet, Ryegate, Newbury, Corinth, Bradford, Fairlee, Thetford, Sharon, Norwich, Hartford, Woodstock, Hartland, Windsor, Weathersfield, Springfield, Chester, Grafton, Townshend, Brookline, and Putney, *Vermont;* Westmoreland, Chesterfield, and Hinsdale, *New Hampshire;* Northfield, Gill, Erving, Wendell, New Salem, Prescott, Greenwich, Ware, Palmer, Monson, and Wales, *Massachusetts;* Union, Eastford, Chaplin, Scotland, Canterbury, Griswold, Preston, Norwich, Bozrah, Ledyard, and North Stonington, *Connecticut;* Westerly, and New Shoreham, *Rhode Island.*

For the purpose of inspection and transportation the above-designated towns and territory quarantined for the gipsy moth are divided into two areas to be known as the Lightly Infested area and the Generally Infested area.

The following towns comprise the Lightly Infested area:

Gouldsborough, Winter Harbor, Sullivan, Sorrento, Hancock, Lamoine, Eden, Mount Desert, Southwest Harbor, Tremont, Swans Island, Trenton, Isle Au Haut, Stonington, Deer Isle, Brooklin, Sedgwick, Bluehill, Surry, City of Ellsworth, Mariaville, Waltham, East Brook, Amherst, Aurora, Plantation No. 33, Plantation No. 32, Greenfield, Greenbush, Argyle, Milford, Bradley, Eddington, Clifton, Otis, Dedham, Holden, City of Brewer, Orono, Veazie, City of Oldtown, City of Bangor, Orrington, Bucksport, Orland, Penobscot, Castine, Brookville, North Haven, Vinal Haven, Islesboro, Searsport, Stockton Springs, Prospect, Frankfort, Winterport, Newburgh, Hampden, Hermon, Carmel, Levant, Kenduskeag, Glenburn, Hudson, Corinth, Charleston, Bradford, Atkinson, Garland, Dexter, Corrina, Exeter, Stetson, Newport, Plymouth, Etna, Dixmont, Jackson, Monroe, Brooks, Swanville, Waldo, City of Belfast, Northport, Lincolnville, Camden, Hope, Appleton, Searsmont, Liberty, Belmont, Morrill, Montville, Palermo, Freedom, Knox, Thorndike, Unity, Albion, Burnham, Troy, Detroit, Palmyra, Pittsfield, Hartland, St. Albans, Athens, Bingham, Solon, Cornville, Madison, Norridgewock, Skowhegan, Canaan, Clinton, Fairfield, Smithfield, Oakland, Waterville, Benton, Winslow, Vassalborough, China, Somerville, Washington, Windsor, Sidney, Manchester, Monmouth, Winthrop, Readfield, Wayne, Fayette, Mount Vernon, Belgrade, Rome, Vienna, Chesterville, New Sharon, Mercer, Stark, Industry, Anson, New Vineyard, Embden, New Portland, Freeman, Strong, Salem, Phillips, Avon, Temple, Farmington, Wilton, Jay, Livermore, East Livermore, Leeds, Greene, Turner, Hebron, Oxford, Paris, Buckfield, Hartford, Sumner, Canton, Peru, Franklin, Dixfield, Mexico, Carthage, Perkins, IV, Weld, Roxbury, Andover, Rumford, Newry, Bethel, Milton, Woodstock, Greenwood, Albany, Norway, Otisfield, Harrison, Waterford, Sweden, Fryeburg, Lovell, Stow, Stoneham, Mason, Fryeburg Academy Grant, Batchelders Grant, Gilead, and Riley, *Maine;* Shelburne, Berlin, Gorham, Beans Purchase, Jackson, Chatham, Bartlett, Conway, Albany, Eaton, Madison, Tamworth, Sandwich, Waterville, Bartl. Co., Harts Location, Livermore, Thornton, Ellsworth, Woodstock, Lincoln, Bethlehem, Franconia, Easton, Landaff, Lisbon, Littleton, Lyman, Monroe, Bath, Haverhill, Benton, Piermont, Warren, Orford, Wentworth, Rumney, Campton, Plymouth, Bridgewater, Hebron, Groton, Dorchester, Lyme, Hanover, Canaan, Orange, Alexandria, Danbury, Grafton, Enfield, Lebanon, Plainfield, Grantham, Springfield, Wilmot, New London, Sunapee, Croydon, Newport, Cornish, Claremont, Charlestown, Unity, Goshen, Newbury, Bradford, Washington, Lempster, Acworth, Langdon, Walpole, Alstead, Marlow, Stoddard, Windsor, Hillsborough, Antrim, Hancock, Nelson, Sullivan, Gilsum, Surry, Westmoreland, Chesterfield, Keene, Roxbury, Harrisville, Dublin, Marlboro, Swanzy, Hinsdale, Winchester, Richmond, Troy, Jaffrey, and Fitzwilliam, *New Hampshire;* Barnet, Ryegate, Newbury, Corinth, Bradford, Fairlee, Thetford, Sharon, Norwich, Hartford, Woodstock, Hartland, Windsor, Weathersfield, Chester, Springfield, Grafton, Rockingham, Athens, Westminster, Putney, Brookline, and Townshend, *Vermont;* Northfield, Warwick, Royalston, Templeton, Phillipston, Athol, Orange, Erving, Gill, Wendell, New Salem, Petersham, Hubbardston, Barre, Dana, Prescott, Greenwich, Hardwick, Oakham, Rutland, Paxton, Leicester, Spencer, New Braintree, North Brookfield, West Brookfield, Brookfield, Warren, Ware, Palmer, Brimfield, Monson, Wales, Holland, Sturbridge, Charlton, Southbridge, and Dudley, *Massachusetts;* Union, Woodstock, Pomfret, Eastford, Chaplin, Hampton, Brooklyn, Canterbury, Scotland, Griswold, Voluntown, North Stonington, Ledyard, Preston, Norwich, and Bozrah, *Connecticut;* Hopkinton, Richmond, Westerly, Charlestown, South Kingstown, Narragansett, and New Shoreham, *Rhode Island.*

All other towns shall be classed as the generally infested area.

The following towns and all the territory between said towns and the Atlantic Ocean are designated as brown-tail moth infested area:

Swans Island, Brooklin, Bluehill, Surry, Trenton, Lamoine, City of Ellsworth, Dedham, Bucksport, Orrington, Hampden, City of Bangor, Hermon, Levant, Kenduskeag, Corinth, Exeter, Stetson, Etna, Plymouth, Palmyra, St. Albans, Hartland, Cornville, Skowhegan, Norridgewock, Stark, Anson, Industry, Farmington, Wilton, Dixfield, Peru, Rumford, Bethel, Gilead, Batchelders Grant, Stow, Fryeburg, and Brownfield, *Maine;* Eaton, Madison, Albany, Waterville, Sandwich, Campton, Plymouth, Ridgewater, Alexandria, Grafton, Enfield, Grantham, Croyden, Springfield, New London, Newbury, Washington, Lempster, Windsor, Antrim, Nelson, Sullivan, Roxbury, Marlboro, Troy, and Fitzwilliam, *New Hampshire;* Winchendon, Gardner, Westminster, Princeton, Holden, Paxton, Leicester, Oxford, and Douglas, *Massachusetts;* Burrillville, Glocester, Foster, Coventry, West Greenwich, Exeter, Hopkinton, Charlestown, and New Shoreham, *Rhode Island.*

The infested areas may be extended or reduced, as found necessary, by the Secretary of Agriculture. Due notice of any extension or reduction and the areas affected thereby will be given in writing to the transportation companies doing business in or through the State in which the infested area is located and by publication in newspapers selected by the Secretary of Agriculture within the State in which the areas affected are located.

REGULATION 4.—REGULATION OF MOVEMENT OF PLANTS AND PLANT PRODUCTS AND STONE OR QUARRY PRODUCTS UNDER QUARANTINE ORIGINATING IN INFESTED AREAS.

(1) Coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arborvitæ (white cedar), known and described as "Christmas trees," and parts thereof, and decorative plants, such as holly and laurel, known and described as "Christmas greens or greenery"; (2) forest-plant products, including logs, tanbark, posts, poles, car stakes, railroad ties, cordwood, and lumber; (3) field-grown florists' stock, trees, shrubs, vines, cuttings, and other plants and plant products, excepting fruit pits, seeds of fruit and ornamental trees and shrubs, field, vegetable, and flower seeds, bedding plants, and other herbaceous plants and roots; and (4) stone or quarry products shall not be moved or allowed to move interstate to any point outside the infested area quarantined for the gipsy moth or the brown-tail moth or interstate from points in the generally infested area to points in the lightly infested area unless and until such plants and plant products and stone or quarry products have been inspected by the United States Department of Agriculture and certified to be free from the gipsy moth and the brown-tail moth, but such plants and plant products and stone or quarry products may be moved interstate without restrictions other than the requirements made by regulation 8 hereof between all points within the lightly infested area, between points in said lightly infested area and points in the generally infested area, and between all points within the generally infested area, subject to such restrictions as may be approved by State officials.

REGULATION 5.—INSPECTION, CERTIFICATION, AND MARKING.

Every car, box, bale, or other container of plants and plant products and stone or quarry products of which inspection is required by these regulations shall be plainly marked with the name and address of the consignor and the name and address of the consignee, and shall bear a certificate showing that the contents have been inspected by the United States Department of Agriculture and found to be free from gipsy moth and brown-tail moth infestation.

The inspection certificates in the case of carload and other bulk shipments shall accompany the waybills, conductors' manifests, memoranda, or bills of lading pertaining to such shipments.

Certificates of inspection will issue only for plants and plant products and stone or quarry products which have been actually inspected by the United States Department of Agriculture, and the use of such certificates in connection with plants and plant products and stone or quarry products which have not been so inspected is unlawful.

REGULATION 6.—CONDITIONS UNDER WHICH PLANTS AND PLANT PRODUCTS AND STONE OR QUARRY PRODUCTS ORIGINATING OUTSIDE OF THE INFESTED AREAS MAY BE SHIPPED FROM POINTS WITHIN THE INFESTED AREAS.

Plants and plant products and stone or quarry products of which the interstate movement is restricted by these regulations which originate outside of the infested areas quarantined for the gipsy moth or the brown-tail moth may be shipped interstate from points within the infested areas to points outside the infested areas under permit from the Secretary of Agriculture. Permits will issue only for plants and plant products and stone or quarry products which are not infested with the gipsy moth or brown-tail moth, and transportation companies shall not accept or move interstate from within the infested areas such plants and plant products and stone or quarry products originating outside the infested areas unless each shipment is accompanied by a permit issued by the United States Department of Agriculture, 6 Beacon Street, Boston, Mass.

REGULATION 7.—CONDITIONS GOVERNING INSPECTION AND ISSUANCE OF PERMITS.

Persons intending to move or allow to be moved interstate plants and plant products and stone or quarry products for which certificates of inspection or permits are required by these regulations will make application therefor as far as possible in advance of the probable date of shipment. Applications should show the nature and quantity of the plants or plant products and stone or quarry products it is proposed to move, together with their exact location, and, if practicable, the contemplated date of shipment. Applicants for inspection will be required to assemble the articles to be inspected at the shipping point, and so to place them that they can be readily examined. If not so placed inspection will be refused. Articles to be inspected must be free from ice and snow and in condition to make inspection easily practicable: *Provided*, That, in lieu of inspection, disinfection by heat or other means under the supervsion and to the satisfaction of the inspector of the United States Department of Agriculture may be authorized by the Federal Horticultural Board as a condition of certification for movement. All charges for storage, cartage, and labor incident to inspection or disinfection other than the services of the inspectors shall be paid by the shipper.

REGULATION 8.—THOROUGH CLEANING REQUIRED OF CARS, BOATS, AND OTHER VEHICLES BEFORE MOVING INTERSTATE.

Cars, boats, and other vehicles which have been used in transporting within the infested areas under the provisions of regulations 4, which provide for such movement without inspection and certification, plants and plant products and stone or quarry products covered by these regulations, or any other article which may hereafter be made subject thereto, shall not be moved or allowed to move interstate unless the same shall have been thoroughly swept out and cleaned by the carrier at the point of unloading or destination of all litter and rubbish from such regulated articles. No litter, rubbish, or refuse from any such plants and plant products and stone or quarry products or other article shall be moved or allowed to move interstate.

This notice of quarantine amends and supersedes Notice of Quarantine No. 33, Revised, promulgated May 19, 1919, and shall be effective until otherwise ordered.

Done in the District of Columbia this twenty-eighth day of May, 1920.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] C. F. MARVIN,

Acting Secretary of Agriculture.

PENALTIES.

The plant quarantine act of August 20, 1912 (37 Stat., 315), provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

EUROPEAN CORN BORER QUARANTINE EXTENDED IN NEW YORK STATE.

[Press notice.]

WASHINGTON, D. C., *May 28, 1920.*

The quarantine against the European corn borer covering an infested area in western New York State has been extended to include the township of Dunkirk, Chautauqua County, it is announced by the Department of Agriculture. Notice has been given that the extension of the quarantine became effective May 8. It is supplemental to the original action for checking the spread of this insect taken by the Department of Agriculture March 15 of this year under the plant quarantine act.

In discussing the quarantine, officials of the Federal Horticultural Board said that the damage thus far occasioned by the insect in the western New York area had been very slight, but that there was danger of the borer spreading to other sections of the country. Small parts of New Hampshire, Massachusetts, and Pennsylvania are also under quarantine. In these areas, particularly Massachusetts, it was said the insects are proving more destructive. No serious spread of the borer is expected, but officials are careful to see that no chances of this are given the insect.

The amendment to the corn borer quarantine follows:

AMENDMENT NO. 1 TO REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 43.

Under authority conferred by the plant quarantine act of August 20, 1912 (37 Stat., 315), as amended by the act of Congress approved March 4, 1917 (39 Stat., 1134, 1165), and in accordance with regulation 3 of the Rules and Regulations Supplemental to Notice of Quarantine No. 43, promulgated by the Secretary of Agriculture March 15, 1920, notice is hereby given that the township of Dunkirk in Chautauqua County is now added to and included within the area in western New York infested by the European corn borer, and said Regulation 3 is amended accordingly.

Until further notice, the Rules and Regulations Supplemental to Notice of Quarantine No. 43 shall apply in all respects to said township of Dunkirk, Chautauqua County, N. Y.

This amendment shall become effective on May 8, 1920.

Done in the District of Columbia this 8th day of May, 1920.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] C. F. MARVIN,
Acting Secretary of Agriculture.

AMENDMENT TO EUROPEAN CORN BORER QUARANTINE (FOREIGN).

Quarantine No. 41 makes provision for the entry of broom corn for manufacturing purposes under permit and disinfection. The necessity for the regulation of the importation of brooms or other articles which contain stems or other portions of broom corn of size and character capable of carrying the European corn borer has been emphasized by the recent arrival at the port of New York of a shipment of some 18,000 very coarse and large brooms from Italy which, upon inspection, proved to be stuffed with the stems of broom corn in such manner as to be vehicles of conveyance of the European corn borer quite as readily as baled broom corn. It has also been deemed necessary to require the foreign exporters to select their broom corn, which is offered for shipment to the United States, in such a manner as to eliminate visibly and patently infested material. These requirements have been embodied in the amendment to quarantine No. 41, reproduced below:

AMENDMENT NO. 1 TO REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 41.

Under authority conferred by the plant quarantine act of August 20, 1912 (37 Stat., 315), it is ordered that regulations 2 and 5 of the Rules and Regulations Supplemental to Notice of Quarantine No. 41, governing the importation of Indian corn or maize, broom corn, and related plants, effective February 21, 1920, be, and the same are hereby, amended to read as follows:

REGULATION 2.—BROOM CORN FOR MANUFACTURING PURPOSES PERMITTED ENTRY UNDER REGULATION.

The importation of broom corn for manufacturing purposes may be permitted under the conditions hereinafter set forth in these regulations: *Provided*, That for the purpose of these regulations, broom corn, even though made up into brooms or similar articles, will be considered in the raw state, unless its manufacture into such brooms or other articles involves the substantial elimination of stems or such treatment of the included stems as shall preclude such articles from being the means of carriage of the European corn borer and other dangerous insects and plant diseases.

REGULATION 5.—DISINFECTION A CONDITION OF ENTRY.

As a condition of entry all importations of broom corn shall be free from visible evidence of borer injury, both with respect to borings in the butts and exit holes in the stalks, and shall be subject to such disinfection as shall be required by the inspector of the Department of Agriculture. Should any importation of broom corn prove on inspection at port of entry to be so infested with the corn borer or other insect pest, or with plant diseases that, in the judgment of the inspector, it can not be freed from such infestation by disinfection or other treatment, the entire shipment shall be refused entry.

When entry under disinfection is permitted, the broom corn will be delivered to the permittee for disinfection upon the filing with the collector of customs of a bond in the amount of $5,000, or in an amount equal to the invoice value, if such value be less than $5,000, with approved sureties, the condition of which shall be that the broom corn shall be disinfected under the supervision of an inspector of the Department of Agriculture; that no bale or other container thereof shall be broken, opened, or removed from the port of entry unless and until a written notice is given to such collector by an inspector of the Department of Agriculture that the broom corn has been properly disinfected; and

that the importation shall be redelivered to the collector of customs within 40 days after arrival at the port of entry.

Done in the District of Columbia this 31st day of July, 1920.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] E. T. MEREDITH,
Secretary of Agriculture.

JULY 31, 1920.

REVISION OF RULES AND REGULATIONS GOVERNING (1) ENTRY FOR IMMEDIATE EXPORT AND (2) ENTRY FOR IMMEDIATE TRANSPORTATION AND EXPORTATION IN BOND OF PROHIBITED PLANTS AND PLANT PRODUCTS.

NEW SAFEGUARDS AGAINST UNDESIRABLE PLANTS FROM ABROAD.

[Press notice.]

Important new safeguards will go into effect August 1 in all ports of the United States regarding plants and plant products whose introduction into this country is restricted or prohibited by quarantine or other orders of the United States Department of Agriculture. The new regulations have just been issued by the Secretary of Agriculture and pertain to the arrival of prohibited and restricted plants carried on vessels arriving at ports where entry or landing is not intended. The provisions supplement regulations which have been in force for several years relating to entry for immediate export and entry for immediate transportation and exportation in bond of prohibited plants and plant products. The enforcement of the quarantines of the Department of Agriculture at ports of entry has shown the necessity for more adequate safeguards with respect to restricted and prohibited plants or plant products where entry or landing at a port is not intended. These safeguards have now been provided, making less likely the escape of insects or plant diseases from vessels temporarily stopping in United States harbors.

The new regulations provide that a report shall be made to the Secretary of Agriculture by the captain or other person in charge of a vessel arriving at a United States port and containing on board plants or plant products the entry of which is prohibited or restricted. This report must state the nature and quantity of such plants or plant products, the country or locality of origin, the date of arrival, the date of sailing from the United States port, together with a statement indicating the steps taken to prevent the escape of insects or plant diseases which they may carry.

It is further provided that the person in charge of such vessels must allow inspection of his craft and must take such measures as are prescribed by the inspector representing the Department of Agriculture to prevent the landing of any such plants or plant products or the escape of insects or plant diseases which they may carry. The collector of customs, in cooperation with the inspector of the Department of Agriculture, may require such person to destroy the objectionable plants and plant products or to remove them forthwith from the port and the territorial waters of the United States. If necessary the inspector of the department may require the disinfection of the vessel in accordance with methods prescribed by the Department of Agriculture.

RULES AND REGULATIONS GOVERNING (1) ENTRY FOR IMMEDIATE EXPORT, (2) ENTRY FOR IMMEDIATE TRANSPORTATION AND EXPORTATION IN BOND, AND (3) SAFEGUARDING THE ARRIVAL AT A PORT WHERE ENTRY OR LANDING IS NOT INTENDED OF PROHIBITED PLANTS AND PLANT PRODUCTS.

[Effective on and after Aug. 1, 1920.]

LETTER OF TRANSMITTAL.

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C., July 1, 1920.

Hon. E. T. MEREDITH,
Secretary of Agriculture.

SIR: The Federal Horticultural Board respectfully submits herewith rules and regulations governing (1) entry for immediate export, (2) entry for immediate transportation and exportation in bond, and (3) safeguarding the arrival at a port where entry or landing is not intended of prohibited plants and plant products.

These rules and regulations are a revision of and supersede the rules and regulations governing the entry for immediate export of prohibited plants and plant products promulgated October 20, 1917, effective December 1, 1917.

The purpose of section 7 of the plant quarantine act of August 20, 1912 (37 Stat., 315), is to provide authority under which insects and diseases injurious to plants may be excluded from the United States. This section provides that "no person shall import or offer for entry into the United States" any class of plants or plant products the importation of which has been prohibited by the Secretary of Agriculture, "regardless of the use for which the same is intended." In view of the expressed purpose of this section, as well as the language employed, it is evident that the unloading or landing at any port of the United States for transshipment and immediate export of prohibited plants or plant products constitutes an importation within the meaning and intent of this section, and renders subject to prosecution any person so doing. Furthermore, the bringing of prohibited plants or plant products to a port of the United States or into the territorial waters of the United States, whether the same are offered for entry or not, constitutes a violation of the act, even if no actual unloading or landing is made.

The purpose of these regulations is to modify the quarantine orders as to plants and plant products now excluded, or which may hereafter be excluded, by quarantine, so as to make provision, where such action can be taken without risk to the plant cultures of this country, for the entry of such plants or plant products either for immediate export or for immediate transportation and exportation in bond to meet the occasional exigencies of commerce. The purpose is to provide for such entry and transshipment only at such ports and under such conditions of unloading and transfer of cargoes or transportation in bond as shall conserve the interests of the United States. Furthermore, regulations 9 and 10 provide for the safeguarding of prohibited or restricted plants arriving at a port or within the territorial waters of the United States where entry or landing is not intended.

Respectfully,

FEDERAL HORTICULTURAL BOARD,
C. L. MARLATT, *Chairman.*

Approved:
R. W. WILLIAMS, *Solicitor.*

RULES AND REGULATIONS GOVERNING (1) ENTRY FOR IMMEDIATE EXPORT, (2) ENTRY FOR IMMEDIATE TRANSPORTATION AND EXPORTATION IN BOND, AND (3) SAFEGUARDING THE ARRIVAL AT A PORT WHERE ENTRY OR LANDING IS NOT INTENDED OF PROHIBITED PLANTS AND PLANT PRODUCTS.

Under authority conferred on the Secretary of Agriculture by section 9 of the plant quarantine act of August 20, 1912 (37 Stat., 315), and in order to meet the occasional exigencies of commerce, it is ordered that the quarantines now in force prohibiting the entry from foreign countries into the United States of certain plants and plant products be, and the same are hereby, modified to permit the entry of such plants and plant products, either for immediate export or for immediate transportation and exportation in bond, under such restrictions as shall conserve the interests of the United States.

Entry for immediate export and for immediate transportation and exportation in bond of such plants and plant products may be made in accordance with the rules and regulations herewith promulgated.

Provision is also made in these regulations for the safeguarding of such prohibited or restricted plants or plant products arriving at a port or within the territorial waters of the United States even though no entry or landing of such plants or plant products is intended.

PLANTS AND PLANT PRODUCTS NOW UNDER QUARANTINE AND SUBJECT TO THESE REGULATIONS.[3]

(*a*) Irish potatoes from Newfoundland; the islands of St. Pierre and Miquelon; Great Britain, including England, Scotland, Wales, and Ireland; Germany; and Austria-Hungary, on account of the disease known as potato wart. There are, however, no Federal restrictions on the importation of potatoes into the Territories of Hawaii and Porto Rico. (Quarantine No. 3.)

(*b*) Mexican fruits: Oranges, sweet limes, grapefruit, mangoes, achras sapotes, peaches, guavas, and plums from the Republic of Mexico, on account of the Mexican fruit fly. (Quarantine No. 5, as amended.)

(*c*) Five-leafed pines and all species and varieties of currant and gooseberry plants (*Ribes* and *Grossularia*), from each and every country of Europe and Asia, and from the Dominion of Canada and from Newfoundland, on account of the white-pine blister rust. (Quarantine No. 7, as amended.)

(*d*) Pines from all European countries and localities not already excluded under the white-pine blister-rust quarantine, on account of the European pineshoot moth (*Evetria buoliana*). (Quarantine No. 20.)

(*e*) Cotton seed (including seed cotton) and cottonseed hulls from any foreign locality and country, excepting only the locality of the Imperial Valley, in the State of Lower California, Mexico, on account of the pink bollworm. (Quarantine No. 8, as amended.)

(*f*) Seeds of avocado or alligator pear from Mexico and the countries of Central America, on account of the avocado weevil. (Quarantine No. 12.)

(*g*) Sugar cane from all foreign countries, on account of certain injurious insects and fungous diseases affecting the sugar cane in such countries. There are, however, no Federal restrictions on the importation into the Territories of Hawaii and Porto Rico of sugar cane. (Quarantine No. 15.)

(*h*) Citrus nursery stock from all foreign localities and countries, on account of the citrus canker and other dangerous citrus diseases. The term

[3] Information as to additions to or changes in this list of plants and plant products may be obtained on inquiry of the collectors of customs or the inspectors of the Federal Horticultural Board, or directly from the Secretary of Agriculture.

"citrus" as used in this quarantine includes all plants belonging to the subfamily or tribe *Citratæ*. (Quarantine No. 19.)

(*i*) Seed and all other portions of Indian corn or maize (*Zea mays* L.), and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca, Chionachne*, and *Sclerachne*, in the raw or unmanufactured state, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands, on account of the downy mildews and *Physoderma* diseases of Indian corn; except that Indian corn or maize may be imported under permit and on compliance with the regulations governing entry from the regions above named. (Quarantine No. 24, as amended.)

(*j*) All species and varieties of citrus fruits from eastern and southeastern Asia (including India, Siam, Indo-China, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia, Tasmania, and New Zealand), Japan (including Formosa and other islands adjacent to Japan), and the Union of South Africa, on account of citrus canker; except that oranges of the mandarin class (including satsuma and tangerine varieties) may be imported under permit and on compliance with the regulations governing entry from the regions named above. (Quarantine No. 28.)

(*k*) All varieties of sweet potatoes and yams (*Ipomoea batatas* and *Dioscorea* spp.) from all foreign countries and localities on account of sweet potato weevils and the sweet potato scarabee. (Quarantine No. 29.)

(*l*) All species and varieties of banana plants (*Musa* spp.) or portions thereof, from all foreign countries and localities on account of the banana root borer. (Quarantine No. 31.)

(*m*) Bamboo seed, plants, or cuttings thereof capable of propagation, including all genera and species of the tribe *Bambuseae* from all foreign countries and localities on account of dangerous plant diseases, including the bamboo smut. (Quarantine No. 34.)

(*n*) Nursery stock, plants, and seeds from all foreign countries and localities on account of certain injurious insects and fungous diseases, except as provided in the regulations supplemental thereto. Under these regulations the following plants and plant products may be imported without restriction: Fruits, vegetables, cereals, and other plant products imported for medicinal, food, or manufacturing purposes, and field, vegetable, and flower seeds not covered by specific quarantine. (Quarantine No. 37.)

(*o*) Seed or paddy rice and all species and varieties of wheat, oats, barley, and rye in the raw or uncleaned or unprocessed state from Australia, India, Japan, Italy, France, Germany, Belgium, Great Britain, Ireland, and Brazil, on account of flag smut and take-all diseases; except that wheat, oats, barley, and rye may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture. (Quarantine No. 39.)

(*p*) The stalk and all other parts, whether used for packing or other purposes, in the raw or unmanufactured state, of Indian corn or maize (*Zea mays* L.), broom corn (*Andropogon sorghum* var. *technicus*), sweet sorghums (*Andropogon sorghum*), grain sorghums (*Andropogon sorghum*) Sudan grass (*Andropogon sorghum sudanensis*), Johnson grass (*Andropogon halepensis*), sugar cane (*Saccharum officinarum*), including Japanese varieties, pearl millet (*Pennisetum glaucum*), napier grass (*Pennisetum purpureum*), teosinte (*Euchlaena luxurians*), and Job's tears (*Coix lachryma-Jobi*), from all foreign countries and localities on account of the so-called European corn borer (*Pyrausta nubilalis*), except that broom corn for manufacturing purposes may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture. (Quarantine No. 41.)

(*q*) Indian corn or maize (*Zea mays* L.) from Mexico on account of the pink bollworm of cotton, except that such Indian corn or maize may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture. (Quarantine No. 42.)

(*r*) Stocks, cuttings, scions, and buds of fruits for propagation from Asia, Japan, Philippine Islands, and Oceania (including Australia and New Zealand), on account of dangerous plant diseases, including Japanese apple cankers, blister blight, and rusts, and injurious insect pests, including the pear fruit borer, the apple moth, etc. Provision is made for the importation under special permit of limited quantities of stocks, cuttings, scions, and buds of fruits from the countries and localities above named for the purpose of keeping the country supplied with new varieties and necessary propagating stock. (Quarantine No. 44.)

I. Entry for Immediate Export.

Regulation 1.—Permits required for entry for immediate export.

The entry for immediate export of any prohibited plants or plant products shall not be allowed except on specific permit from the Secretary of Agriculture and under such conditions and at such ports of entry as shall be prescribed in the permit.

Regulation 2. Application for entry for immediate export must be made in advance.

Persons contemplating the entry for immediate export of any plant or plant product shall make application for a permit to the Federal Horticultural Board, Department of Agriculture, Washington, D. C., stating the quantity and exact nature of the plants or plant products, the country and locality where grown, the name and address of the foreign shipper, the port of departure, the port of arrival in the United States, the port and country of final destination, the name of vessel and steamship line bringing the plants or plant products to the United States, the name of vessel and steamship line to which the goods are to be transshipped for exportation, and the name and address of consignee.

Regulation 3. Permits issued on approval of application.

On approval of an application for entry for immediate export of prohibited plants and plant products a permit will be issued in quadruplicate. One copy will be furnished to the applicant for presentation to the customs officer at the port of arrival, one copy will be mailed to the collector at the port of arrival, one copy to the inspector of the Department of Agriculture at the port of arrival, and the fourth will be filed with the application. A separate permit will be required for each shipment offered for entry for immediate export.

Regulation 4.—Notice by permittee of arrival of prohibited plants and plant products.

Immediately upon the receipt by the permittee of authority for entry for immediate export of prohibited plants and plant products he shall submit a notice in duplicate to the Secretary of Agriculture, through the collector of customs, on forms provided for that purpose, stating the date of arrival, the number of the permit, the quantity, the exact nature of the plants or plant products, the country and locality where grown, port of departure, port of arrival in the United States, name of vessel and steamship line and dock, name and address of foreign shipper, and name and address of foreign consignee.

Regulation 5.—Unloading for entry for immediate export.

Such plants or plant products shall not be unloaded for entry for immediate export until a permit for such entry shall have been received from the Secretary of Agriculture and until a bond shall have been filed with the collector of customs, with approved sureties, in double the invoice value of the property

(the amount of the bond in no case to be less than $1,000), conditioned on the export of such property from the port of arrival within a period to be designated by the inspector of the Department of Agriculture in cooperation with the collector of customs. If not exported within the time thus designated, the articles may be subject to seizure and destruction by the collector of customs. The landing for transshipment of prohibited plants and plant products shall be by such methods and under such safeguards as shall be required by the inspector of the Department of Agriculture.

REGULATION 6.—NOTICE OF EXPORTATION AND CANCELLATION OF BOND.

Immediately upon the exportation of such plants and plant products a notice in duplicate, on forms provided for that purpose, shall be furnished by the permittee to the collector of customs, one copy of which shall be transmitted to the Secretary of Agriculture, stating the number of the permit, the quantity, the exact nature of the plants or plant products, the country and locality where grown, name of vessel and steamship line bringing the articles to this country, port of arrival in the United States, name of vessel and steamship line taking articles from this country, date of exportation, and name and address of foreign consignee.

On receipt of said notice by the collector of customs the bond required from the permittee under Regulation 5 hereof may be canceled.

II. ENTRY FOR IMMEDIATE TRANSPORTATION AND EXPORTATION IN BOND.

REGULATION 7.—SPECIAL PERMIT FOR TRANSPORTATION IN BOND.

The entry for immediate transportation and exportation in bond of any of the plants or plant products described in these regulations, or which may hereafter be excluded by quarantine, is prohibited except on specific permit from the Secretary of Agriculture under such conditions as will be prescribed in the permit, when it can be shown that such transportation in bond through the United States can be so safeguarded as to routing and protection of shipment as to eliminate all possibility of risk to the plant cultures of this country.

Entry for immediate transportation and exportation in bond is prohibited of cotton seed, seed cotton, and cottonseed hulls from any foreign locality or country, excepting only the locality of the Imperial Valley in the State of Lower California, Mexico.

REGULATION 8.—PERSONS OFFERING FOR ENTRY PROHIBITED PLANTS OR PLANT PRODUCTS, EXCEPT AS PROVIDED FOR IN THESE REGULATIONS, LIABLE TO PENALTIES.

Except as herein provided, the entry at any port of the United States, for immediate export or otherwise, of prohibited plants or plant products will not be permitted, and all persons offering such plants or plant products for entry at a port of the United States or bringing them into the limits of such ports will be liable to the penalties prescribed by the plant quarantine act.

III. SAFEGUARDING OF PROHIBITED OR RESTRICTED PLANTS ARRIVING AT A PORT WHERE ENTRY OR LANDING IS NOT INTENDED.

REGULATION 9.—REPORTING OF PROHIBITED OR RESTRICTED PLANTS.

The master, captain, or other person having charge or possession of a vessel arriving at a port of the United States and containing as a part of its cargo or ship's stores, or otherwise, any plants or plant products the entry of which into the United States is either prohibited or restriced by quarantine or other restrictive orders of this department, shall be required, on arrival at the port, to submit to the Secretary of Agriculture, through the collector of customs, a report giving the name of the vessel, the nature and quantity of such plants or plant products, the country or locality of origin, the date of arrival at and

date of sailing from the United States port, together with a statement indicating the steps taken to prevent the escape of insects or plant diseases which they may carry.

REGULATION 10.—PROVISIONS FOR SAFEGUARDING OF PROHIBITED OR RESTRICTED PLANTS.

The master, captain, or other person having charge or possession of a vessel arriving at a port of the United States and containing as a part of its cargo or ship's stores, or otherwise, any plants or plant products the entry of which into the United States is either prohibited or restriced by quarantine or other restrictive orders of this department, shall be required to permit such inspection and to take such measures as may be prescribed by an inspector of the Department of Agriculture to prevent the landing of any such plants or plant products, or the escape of insects or plant diseases which they may carry. Unless the protective measures required by such inspector are promptly taken, the collector of customs, in cooperation with the inspector of the Department of Agriculture, may require the master, captain, or other person having charge or possession of the vessel either to destroy the objectionable plants and plant products, or to remove them forthwith from the port and the territorial waters of the United States. The inspector of the Department of Agriculture may, if he considers it necessary, require the disinfection of the vessel in accordance with methods prescribed by the Department of Agriculture.

The foregoing regulations are adopted, effective on and after August 1, 1920, and amend and supersede the regulations promulgated October 20, 1917, which became effective December 1, 1917.

Done in the District of Columbia this 7th day of July, 1920.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] E. D. BALL,
Acting Secretary of Agriculture.

POTATO-WART CONFERENCE.

A conference was held at the Department of Agriculture June 29, 1920, for the purpose of considering plans for the potato-wart work during the current season, with particular reference to the further surveys for the disease in the States where reasonable suspicion of infestation exists. The States of Pennsylvania, Maryland, and West Virginia were represented at this conference. The country-wide survey made in 1919 appeared to indicate the freedom of the country as a whole from any considerable area of infestation, inasmuch as all cases discovered were in small gardens in industrial sections, and as foreign potatoes seldom or never extend to centers of agricultural production which are under the observation of county agents and others. The plan this year is to conduct an intensive survey of the industrial regions of Pennsylvania and West Virginia, particularly the centers of potato production, and of the contiguous territory of Ohio and Maryland. In addition, a limited number of points in the Great Lakes States, near large cities and along the Maine coast, where particular suspicion may rest, will be surveyed. The work in Pennsylvania will be in collaboration with the Pennsylvania Agricultural Experiment Station, and will be carried out by picked inspectors, who will be trained in advance and will work in small groups of three or four men to cover thoroughly the mining villages and urban districts of the territory mentioned. By arrangement with the Pennsylvania Department of Agriculture certain areas of the suspected regions will be surveyed by that department, and other areas by the United States Department of Agriculture to prevent overlapping of effort.

In West Virginia the survey will be organized in a smiliar way with the collaboration of Prof. N. J. Giddings, of the State Agricultural Experiment Station.

The infected areas in Pennsylvania and West Virginia are covered by State quarantines, and any additional infected areas which may be found in these States will be promptly included. An important phase of the restrictive measures of the Pennsylvania Department of Agriculture consists in requiring the planting in the infected gardens of only those varieties known to be immune to potato wart. These consist of both the American, English, Scotch, and German varieties. In West Virginia the growing of potatoes in the infected gardens is prohibited, and all potato planting in the quarantined area is done under permit.

The work looking to the control and eradication of the potato wart with the use of steam and various chemicals on a broad scale is being actively prosecuted. The general plan of extermination work is to eradicate the outlying points of infection this year and to make no attempt to eradicate the disease in the large Hazelton district until methods of extermination have been better worked out.

POTATOES FROM NORWAY EXCLUDED FROM THE UNITED STATES.

The following letter sums up the board's decision relative to the request presented by the Norwegian Government for the granting of permits for the exportation of Norwegian potatoes to the United States:

JUNE 14, 1920.

Mr. IVAR JORSTAD and Mr. O. J. AGA,
Representatives of the Norwegian Department of Agriculture,
Norwegian Legation, Washington, D. C.

GENTLEMEN: Consideration has been given by the Federal Horticultural Board to the request presented by you for a modification of the rules and regulations governing the importation of potatoes into the United States to permit the entry of Norwegian potatoes, despite the occurrence in your country of the potato wart disease. We have had for our information on this question the very complete statement presented at your conference with the acting chairman on May 27 and the memorandum submitted under date of May 29 relating to the conditions surrounding the occurrence of potato wart in Norway and the precautions taken by your Government to prevent its further spread, and we are relieved to learn of the limited occurrence of this disease in your country and are very favorably impressed by the steps taken by the Government of Norway to isolate the infested areas. We understand also that preparations have been made to establish a special inspection service and to certify as to freedom from disease all potatoes exported to the United States. Under the existing state of our knowledge it is not clear that anything more could be done by Norway at the present time to comply with our regulations.

However, potato wart has been believed to be one of the most serious potato pests and was one of the dangers which contributed to the passage of our present plant quarantine act, which enjoined upon the Department of Agriculture an immediate quarantine against all countries infested with the disease. It was not until last year that it was discovered that importations of European potatoes made prior to the passage of the quarantine law in 1912 had resulted in the very limited number of cases of potato wart in Pennsylvania and West Virginia, and we are at the present time engaged in a strenuous effort to eradicate the disease from these places. We are also pushing actively research work on the life history of the parasite, which is not yet fully known, and the results of these investigations may in the future tend to lessen our fear of potato wart and influence the department toward a more liberal quarantine policy, but at present such action as that requested by Norway would involve a fundamental change in the general quarantine policy of the board, as any modification of the regulations would have to be equally applicable to all other countries. The Federal Horticultural Board therefore greatly regrets that it is obliged to make a definite decision that such a reversal of policy can not be considered now nor in time to permit the entry from countries where potato

wart exists of any of the crop of 1920. We beg to assure you that this decision does not rest on any lack of confidence in the efficiency of your inspection service or the steps taken by your Government. We trust and hope that with the passage of time the assurance that the potato wart does not exist elsewhere in Norway may receive still further confirmation through the negative findings of field surveys and that the conditions in other European countries will be further clarified in the direction of a satisfactory solution of these quarantine problems.

Very truly yours,

C. L. MARLATT,
Chairman of the Board.

ENLARGEMENT OF PORT-INSPECTION SERVICE.

The need for enlargement of the port-inspection service is discussed in detail in the Annual Report of the Federal Horticultural Board for 1919, pages 27 and 28. This need was presented strongly to the last Congress and resulted in an increase in the appropriation for the general expenses of the board of $77,750. This service will now be greatly strengthened and extended to additional ports.

VIOLATIONS OF THE BLISTER-RUST QUARANTINE.

During the spring and early summer of this year, the board placed several inspectors at the principal express and mail transfer points along the western boundary of the Federal quarantine against white pines, currants, and gooseberries on account of the white-pine blister rust. Between 75 and 100 shipments of nursery stock in violation of this quarantine were observed in transit by these inspectors. Prosecutions of the parties at fault are now in process of being instituted. A general statement calling attention to the terms of this quarantine for distribution to nurserymen throughout the quarantined area is also in process of preparation.

CONVICTION FOR VIOLATION OF THE PLANT-QUARANTINE ACT.

The following conviction for violation of the plant-quarantine act was reported to the board during the month of June, 1920:

In the case of the United States *v.* Brown Bros. Co., Rochester, N. Y., for violating the white-pine blister rust quarantine in the interstate shipment of currant and gooseberry plants to a point outside of the quarantined area, the defendant pleaded guilty and was sentenced to pay a fine of $25.

[T. D. 38405.]

PLANT QUARANTINE: IMPORTATION OF STOCKS, CUTTINGS, SCIONS, AND BUDS OF FRUITS FROM CERTAIN COUNTRIES PROHIBITED.

TREASURY DEPARTMENT, *May 12, 1920.*

To collectors of customs and others concerned:

The appended notice of quarantine No. 44, effective June 1, 1920, issued by the Secretary of Agriculture, prohibiting the importation into the United States from Asia, Japan, Philippine Islands, and Oceania (including Australia and New Zealand) of stocks, cuttings, scions, and buds of fruits which are capable of propagation, is published for the information and guidance of customs officers and others concerned.

JOUETT SHOUSE, *Assistant Secretary.*

[Then follows the text of the quarantine.]

LIST OF CURRENT QUARANTINE AND OTHER RESTRICTIVE ORDERS.

QUARANTINE ORDERS.

The numbers assigned to these quarantines indicate merely the chronological order of issuance of both domestic and foreign quarantines in one numerical series. The quarantine numbers missing in this list are quarantines which have either been superseded or revoked. For convenience of reference these quarantines are here classified as domestic and foreign.

DOMESTIC QUARANTINES.

Date palms.—Quarantine No. 6: Regulates the interstate movement of date palms or date-palm offshoots from Riverside County, Calif., east of the San Bernardino meridian; Imperial County, Calif.; Yuma, Maricopa, and Pinal Counties, Ariz.; and Webb County, Tex.; on account of the Parlatoria scale (*Parlatoria blanchardi*) and the Phoenicococcus scale (*Phoenicococcus marlatti*).

Cotton seed and cottonseed hulls.—Quarantine No. 9: Prohibits the importation of cotton seed and cottonseed hulls from the Territory of Hawaii on account of the pink bollworm.

Hawaiian fruits.—Quarantine No. 13, revised: Prohibits or regulates the importation from Hawaii of all fruits and vegetables, in the natural or raw state, on account of the Mediterranean fruit fly and the melon fly.

Sugar cane.—Quarantine No. 16: Prohibits the importation from Hawaii and Porto Rico of living canes of sugar cane, or cuttings or parts thereof, on account of certain injurious insects and fungous diseases.

Cotton.—Quarantine No. 23, revised: Regulates the movement of cotton from Hawaii to the continental United States, on account of the pink bollworm.

Five-leafed pines, Ribes and Grossularia.—Quarantine No. 26, as amended: Prohibits the interstate movement of five-leafed pines, currant and gooseberry plants from all States east of and including the States of Minnesota, Iowa, Missouri, Arkansas, and Louisiana to points outside of this area; prohibits, further (1) the interstate movement of five-leafed pines and black-currant plants to points outside the area comprising the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York, and (2) to protect the State of New York, the movement from the New England States, on account of the white-pine blister rust.

Sweet potato and yam.—Quarantine No. 30: Prohibits the movement from the Territories of Hawaii and Porto Rico into or through any other Territory, State, or District of the United States of all varieties of sweet potatoes and yams (*Ipomoea batatas* and *Dioscorea* spp.), regardless of the use for which the same are intended, on account of the sweet-potato weevil (*Cylas formicarius*) and the sweet-potato scarabee (*Euscepes batatæ*).

Banana plants.—Quarantine No. 32: Prohibits the movement from the Territories of Hawaii and Porto Rico into or through any other Territory, State, or District of the United States of any species or variety of banana plants (*Musa* spp.), regardless of the use for which the same are intended, on account of two injurious weevils, *Rhabdocnemis obscurus* and *Metamasius hemipterus*.

Black stem rust.—Quarantine No. 38: Prohibits the movement interstate to any point outside of the quarantined area of the common barberry and its horticultural varieties, as well as certain other species of Berberis and Mahonia, on account of the black stem rust of wheat, oats, barley, rye, and many wild and cultivated grasses.

Japanese beetle.—Quarantine No. 40: Regulates the movement interstate to any point outside the townships of Delran, Chester, Cinnaminson, Palmyra, Mount Laurel, and Riverside, and the borough of Riverton, county of Burlington, and the townships of Pensauken and Delaware, and the borough of Merchantville, county of Camden, N. J., of (1) farm, garden, and orchard products

of all kinds; (2) grain and forage crops of all kinds; (3) nursery, ornamental, and greenhouse stock, and all other plants, including bulbs and cut flowers; and (4) soil, compost, and manure other than fresh manure, on account of the Japanese beetle (*Popillia japonica*).

European corn borer.—Quarantine No. 43 as amended: Regulates the movement interstate to any point outside of the quarantined area of corn and broom corn (including all parts of the stalk), celery, green beans in the pod, beets with tops, spinach, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof, without stems, on account of the European corn borer (*Pyrausta nubilalis*).

Gipsy moth and brown-tail moth.—Quarantine No. 45: Regulates the movement interstate to any point outside of the quarantined towns and territory, or from points in the generally infested area to points in the lightly infested area, of stone or quarry products, and of the plants and the plant products listed therein. The quarantine covers all the New England States.

Pink bollworm.—Quarantine No. 46: Prohibits the interstate movement from the infested and regulated areas of Texas and Louisiana of cotton, including all parts of the plant, seed cotton, cotton lint, linters, gin waste, and all other forms of cotton lint, cotton seed, cottonseed hulls, cottonseed cake and meal, bagging and other containers of the articles enumerated, and also railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products grown in the infested districts or which are fouled with such products, hay and other farm products, farm household goods, and farm equipment, except as provided in the rules and regulations supplemental thereto, on account of the pink bollworm of cotton (*Pectinophora gossypiella* Saunders).

FOREIGN QUARANTINES.

Irish potatoes.—Quarantine No. 3: Prohibits the importation of the common or Irish potato from Newfoundland; the islands of St. Pierre and Miquelon; Great Britain, including England, Scotland, Wales, and Ireland; Germany; and Austria-Hungary, on account of the disease known as potato wart.

Mexican fruits.—Quarantine No. 5, as amended: Prohibits the importation of oranges, sweet limes, grapefruit, mangoes, achras sapotes, peaches, gauvas, and plums from the Republic of Mexico, on account of the Mexican fruit fly.

Five-leafed pines, Ribes, and Grossularia.—Quarantine No. 7, as amended: Prohibits the importation from each and every country of Europe and Asia, and from the Dominion of Canada and Newfoundland, of all five-leafed pines and all species and varieties of the genera *Ribes* and *Grossularia*, on account of the white-pine blister rust.

Cotton seed and cottonseed hulls.—Quarantine No. 8, as amended: Prohibits the importation from any foreign locality and country, excepting only the locality of the Imperial Valley, in the State of Lower California, Mexico, of cotton seed (including seed cotton) of all species and varieties, and cottonseed hulls, on account of the pink bollworm. Cotton and cotton seed from the Imperial Valley may be entered under permit and regulation.

Seeds of avocado or alligator pear.—Quarantine No. 12: Prohibits the importation from Mexico and the countries of Central America of the seeds of the avocado or alligator pear, on account of the avocado weevil.

Sugar cane.—Quarantine No. 15: Prohibits the importation from all foreign countries of living canes of sugar cane, or cuttings or parts thereof, on account of certain injurious insects and fungous diseases. There are no restrictions on the entry of such materials into Hawaii and Porto Rico.

Citrus nursery stock.—Quarantine No. 19: Prohibits the importation from all foreign localities and countries of all citrus nursery stock, including buds, scions, and seeds, on account of the citrus canker and other dangerous citrus diseases. The term "citrus," as used in this quarantine, includes all plants belonging to the subfamily or tribe *Citratae*.

European pines.—Quarantine No. 20: Prohibits, on account of the European pineshoot moth (*Evetria buoliana*), the importation from all European countries and localities of all pines not already excluded by Quarantine No. 7.

Indian corn or maize and related plants.—Quarantine No. 24, as amended: Prohibits the importation from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands, in the

raw or unmanufactured state, of seed and all other portions of Indian corn or maize (*Zea mays* L.), and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca*, *Chionachne*, and *Sclerachne*, on account of the downy mildews and *Physoderma* diseases of Indian corn, except that Indian corn or maize may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture.

Citrus fruit.—Quarantine No. 28: Prohibits the importation from eastern and southeastern Asia (including India, Siam, Indo-China, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia, Tasmania, and New Zealand), Japan (including Formosa and other islands adjacent to Japan), and the Union of South Africa, of all species and varieties of citrus fruits, on account of the citrus canker, except that oranges of the mandarin class (including satsuma and tangerine varieties) may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture.

Sweet potato and yam.—Quarantine No. 29: Prohibits the importation for any purpose of any variety of sweet potatoes or yams (*Ipomoea batatas* and *Dioscorea* spp.) from all foreign countries and localities, on account of the sweet potato weevils (*Cylas* spp.) and the sweet potato scarabee (*Euscepes batatae*).

Banana plants.—Quarantine No. 31: Prohibits the importation for any purpose of any species or variety of banana plants (*Musa* spp.), or portions thereof, from all foreign countries and localities, on account of the banana root borer (*Cosmopolites sordidus*).

Bamboo.—Quarantine No. 34: Prohibits the importation for any purpose of any variety of bamboo seed, plants, or cuttings thereof capable of propagation, including all genera and species of the tribe *Bambuseae*, from all foreign countries and localities, on account of dangerous plant diseases, including the bamboo smut (*Ustilago shiraiana*). This quarantine order does not apply to bamboo timber consisting of the mature dried culms or canes which are imported for fishing rods, furniture making, or other purposes, or to any kind of article manufactured from bamboo, or to bamboo shoots cooked or otherwise preserved.

Nursery stock, plants, and seeds.—Quarantine No. 37, as amended, with regulations (effective on and after June 1, 1919): Prohibits the importation of nursery stock and other plants and seeds from all foreign countries and localities, on account of certain injurious insects and fungous diseases, except as provided in the regulations. Under this quarantine the following plants and plant products may be imported without restriction: Fruits, vegetables, cereals, and other plant products imported for medicinal, food, or manufacturing purposes, and field, vegetable, and flower seeds. The entry of the following plants is permitted under permit: Lily bulbs, lily of the valley, narcissus, hyacinths, tulips, and crocus; stocks, cuttings, scions, and buds of fruits; rose stocks, including manetti, multiflora, brier rose, and rosa rugosa; nuts, including palm seeds; seeds of fruit, forest, ornamental, and shade trees; seeds of deciduous and evergreen ornamental shrubs, and seeds of hardy perennial plants.

Povision is also made for the issuance of special permits under safeguards to be prescribed in such permits for the entry in limited quantities of nursery stock and other plants and seeds not covered in the preceding lists for the purpose of keeping the country supplied with new varieties and necessary propagating stock.

Flag smut and take-all.—Quarantine No. 39, with regulations (effective on and after August 15, 1919): Prohibits the importation of seed or paddy rice from Australia, India, Japan, Italy, France, Germany, Belgium, Great Britain, Ireland, and Brazil on account of two dangerous plant diseases known as flag smut (*Urocystis tritici*) and take-all (*Ophiobolus graminis*). Wheat, oats, barley, and rye may be imported from the countries named only under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture.

European corn borer.—Quarantine No. 41, with regulations: Prohibits the importation of the stalk and all other parts, whether used for packing or other purposes, in the raw or unmanufactured state, of Indian corn or maize, broom corn, sweet sorghums, grain sorghums, Sudan grass, Johnson grass, sugar cane, pearl millet, napier grass, teosinte and Job's tears, from all foreign countries and localities, except as provided in the rules and regulations supplemental

thereto, on account of the European corn borer (*Pyrausta nubilalis*) and other dangerous insects and plant diseases.

Mexican corn.—Quarantine No. 42, with regulations: Prohibits the importation of Indian corn or maize from Mexico, except as provided in the rules and regulations supplemental thereto, on account of the contamination of such corn with cotton seed more or less infested with the pink bollworm.

Stocks, cuttings, scions, and buds of fruits.—Quarantine No. 44: Prohibits the importation of stocks, cuttings, scions, and buds of fruits from Asia, Japan, Philippine Islands, and Oceania (including Australia and New Zealand) on account of dangerous plant diseases, including Japanese apple cankers, blister blight, and rusts, and injurious insect pests, including the oriental fruit moth, the pear fruit borer, the apple moth, etc.

OTHER RESTRICTIVE ORDERS.

The regulation of the entry of nursery stock from foreign countries into the United States was specifically provided for in the plant-quarantine act. The act further provides for the similar regulation of any other class of plants or plant products when the need therefor shall be determined. The entry of the plants and plant products listed below has been brought under such regulation:

Nursery stock.—The conditions governing the entry of nursery stock and other plants and seeds from all foreign countries and localities are indicated above under "Foreign Quarantines." (See Quarantine No. 37.)

Irish potatoes.—The importation of Irish potatoes is prohibited altogether from the countries enumerated in the potato quarantine. Potatoes may be admitted from other foreign countries under permit and in accordance with the provisions of the regulations issued under the order of December 22, 1913, bringing the entry of potatoes under restriction on account of injurious potato diseases and insect pests. Importation of potatoes is now authorized from the following countries: Denmark, Cuba, Bermuda, and the Dominion of Canada. The regulations issued under this order have been amended so as to permit, free of any restrictions whatsoever under the plant-quarantine act, the importation of potatoes from any foreign country into the Territories of Porto Rico and Hawaii for local use only and from the Dominion of Canada and Bermuda into the United States or any of its Territories or Districts.

Avocado, or alligator pear.—The order of February 27, 1914, prohibits the importation from Mexico and the countries of Central America of the fruits of the avocado, or alligator pear, except under permit and in accordance with the other provisions of the regulations issued under said order, on account of the avocado weevil. Entry is permitted through the port of New York only and is limited to the large, thick-skinned variety of the avocado. The importation of the small, purple, thin-skinned variety of the fruit of the avocado and of avocado nursery stock under 18 months of age is prohibited.

Cotton.—The order of April 27, 1915, prohibits the importation of cotton from all foreign countries and localities, except under permit and in accordance with the other provisions of the regulations issued under said order, on account of injurious insects, including the pink bollworm. These regulations apply in part to cotton grown in and imported from the Imperial Valley, in the State of Lower California, in Mexico.

Corn.—The order of March 1, 1917 (Amendment No. 1, with Regulations, to Notice of Quarantine No. 24), prohibits the importation of Indian corn or maize in the raw or unmanufactured state from the countries and localities listed in Notice of Quarantine No. 24, except under permit and in accordance with the other provisions of the regulations issued under said order, on account of injurious diseases of Indian corn.

Cottonseed products.—The order of June 23, 1917, prohibits the importation of cottonseed cake, meal, and all other cottonseed products, except oil, from all foreign countries, and a second order of June 23, 1917, prohibits the importation of cottonseed oil from Mexico, except under permit and in accordance with the other provisions of the regulations issued under said orders, on account of injurious insects, including the pink bollworm.

Citrus fruits.—The order of June 27, 1917 (Notice of Quarantine No. 28, with Regulations), prohibits the importation from the countries and localities listed therein of all species and varieties of citrus fruits, excepting only oranges of the mandarin class (including satsuma and tangerine varieties), on account of the citrus-canker disease. Oranges of the mandarin class (including satsuma

and tangerine varieties) may be imported under permit and in accordance with the other provisions of the regulations issued under said order.

Indian corn, broom corn, and related plants.—The order of February 21, 1920 (Notice of Quarantine No. 41, with Regulations), prohibits the importation in the raw or unmanufactured state of the stalk and all other parts of Indian corn or maize, broom corn, sweet sorghums, grain sorghums, Sudan grass, Johnson grass, sugar cane, including Japanese varieties, pearl millet, napier grass, teosinte, and Job's tears from all foreign countries and localities on account of the European corn borer and other dangerous insects and plant diseases. The regulations issued under said order permit the importation without restriction of sorghum hay from Canada and clean shelled or threshed grain, from any country, of the plants covered by this order. Provision is also made for the importation of broom corn under permit and in accordance with the other provisions of the regulations for manufacturing purposes.

Mexican corn.—The order of February 21, 1920 (Notice of Quarantine No. 42, with Regulations), prohibits the importation of Indian corn or maize from Mexico, except under permit and in accordance with the other provisions of the regulations issued under said order, on account of contamination of such corn with cotton seed more or less infested with the pink bollworm.

Stocks, cuttings, scions, and buds of fruits.—The order of March 24, 1920 (Notice of Quarantine No. 44), prohibits the importation of stocks, cuttings, scions, and buds of fruits for or capable of propagation from Asia, Japan, Philippine Islands, and Oceania (including Australia and New Zealand) on account of certain dangerous plant diseases and injurious insect pests. Provision is made for the importation under special permits issued by the Secretary of Agriculture of limited quantities of stocks, cuttings, scions, and buds of fruits from the countries and localities named for the purpose of keeping the country supplied with new varieties and necessary propagating stock.

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